Bullock, E. V. Curtis, Robert Wilson, G. A. Padgett, J. E. Beckstead, William Gardner, Leon W. Clark, E. A. Sheffner, John Hughes, Homes Ames, L. D. Raymond, Stillman Loop, Eugene Woch, Henry O. Grant, Guy Hall, Frank Payne, F. L. Tompkins, John Linsley, W. O. Kerr, H. St. McIntosh, George W. Davis, E. W. Poole, F. D. Noble, Max Edison, W. G. Stephens, Ira C. Mills, Earl Bancroft, and others, of Edwards, N. Y., protesting against the passage of the Fitzgerald and Siegel postal bills; to the Committee on the Post Office and Post Roads.

Also, petition of the Women's Civic League of Plattsburgh, N. Y., in favor of so-called preparedness measures; to the Committee on Military Affairs.

Also, petition of Mrs. Grace O. Castle, secretary, in behalf of Winthrop Grange, Winthrop, N. Y., favoring a national prohibition amendment to the Constitution; to the Committee on the Judiciary.

By Mr. STEDMAN: Petition of citizens of Reidsville, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Memorial of Hebrew Cooperative Relief Association, Hebrew Society, and Fink Brokerage Co., all of Los Angeles, Cal., protesting against Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. STINESS: Petition of citizens of Westerly, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Rhode Island Fish and Game Protective Association, favoring amendment to the migratory bird law in regard to water fowl in Rhode Island; to the Committee on Agriculture.

Also, petition of Bureau of Animal Industry employees, of Providence, R. I., favoring House bill 5792; to the Committee on Agriculture.

Also, memorial of Slocum Post, No. 10, Grand Army of the Republic, of Rhode Island, protesting against the use of the Mountain Branch (Tenn.) Soldiers' Home by ex-Confederate soldiers to the exclusion of Union soldiers; to the Committee on Military Affairs.

By Mr. SULLOWAY: Petition of citizens of Derry; Central Avenue Baptist Church, of Dover; 125 people of Somersworth; Christian Endeavor Society of 60 people of Somersworth; Loyal Workers Society of Dover; Advent Christian Church, of Dover; 21 people of Dover; 75 people of Brentwood; Christian Endeavor Society of Epping; 132 people of Epping; and 53 people of Epping, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Stark Lodge, No. 4, International Order of Good Templars, of Manchester; Stark Juvenile Temple, of Manchester; and voters of Brentwood, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Petition of sundry citizens of West Virginia, favoring prohibition in the District of Columbia; to the Commttee on the District of Columbia.

Also, petition of sundry citizens of West Virginia, protesting against passage of House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. TEMPLE: Petition of Rev. S. G. Connor and 70 other citizens of Washington County, Pa., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

SENATE.

TUESDAY, *March 28, 1916.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee because great thoughts arise in our minds which we trace back to the great Spirit above us. Holy inspirations take possession of our spirit which find alone their source in God. Thou dost minister to us the comforts of life through the forces of nature about us. Thou hast given to us the blessings of freedom, and Thou dost minister to us these blessings through the forces of righteous living. Thou dost give to us the passion of eternity. Thou dost impart it by the gift of Thyself to men.

Grant us this day to live in the higher altitudes of life, ever keeping in mind that Thou art with us; that Thou hast a purpose in our lives; that Thou hast a mission in our Government; that Thou hast a use for the people of this great land. May they be consecrated to Thy service. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SIMMONS, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CENTENNIAL OF THE COAST AND GEODETIC SURVEY.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Superintendent of the United States Coast and Geodetic Survey, which will be printed in the RECORD. The communication is as follows:

DEPARTMENT OF COMMERCE,
UNITED STATES COAST AND GEODETIC SURVEY,
Washington, March 28, 1916.

Hon. THOMAS R. MARSHALL,
The President of the Senate,
The Capitol, Washington, D. C.

MY DEAR MR. PRESIDENT: You are no doubt acquainted with the fact that the United States Coast and Geodetic Survey is celebrating its centennial by appropriate exercises on April 5 and 6, 1916.

These exercises will take place on the above dates at the New National Museum.

I am inclosing herewith a program, and you will observe that those who are to take part in this celebration are men of prominence.

On behalf of the United States Coast and Geodetic Survey, I wish to extend an invitation to the Members of the United States Senate to attend the sessions at the New National Museum, and also the exhibit in the same building.

I am, respectfully, yours,

E. LESTER JONES,
Superintendent.

PROGRAM OF THE CENTENNIAL EXERCISES OF THE UNITED STATES COAST AND GEODETIC SURVEY TO BE HELD WEDNESDAY, APRIL 5, AND THURSDAY, APRIL 6, 1916, AT WASHINGTON, D. C.

AFTERNOON OF APRIL 5, AT THE NEW NATIONAL MUSEUM, WASHINGTON, D. C.

(*Beginning at 2.30 o'clock.*)

Dr. Hugh M. Smith, Commissioner of the United States Bureau of Fisheries.

Subject: The Bureau of Fisheries and its relation to the United States Coast and Geodetic Survey.

Dr. Louis A. Bauer, director of the department of terrestrial magnetism, Carnegie Institution of Washington.

Subject: The work done by the United States Coast and Geodetic Survey in the field of terrestrial magnetism.

Dr. S. W. Stratton, Director of the United States Bureau of Standards.

Subject: The Bureau of Standards and its relation to the United States Coast and Geodetic Survey.

Rear Admiral J. E. Pillsbury, United States Navy (retired).

Subject: Ocean currents and deep-sea explorations of the United States Coast and Geodetic Survey.

Dr. George Otis Smith, Director of the United States Geological Survey.

Subject: The United States Geological Survey and its relation to the United States Coast and Geodetic Survey.

EVENING OF APRIL 5, AT THE NEW NATIONAL MUSEUM, WASHINGTON, D. C.

(*Beginning at 8 o'clock.*)

Hon. J. HAMPTON MOORE, Member of the United States House of Representatives.

Subject: The United States Coast and Geodetic Survey's part in the development of commerce.

Brig. Gen. W. M. Black, Chief of Engineers, United States Army.

Subject: The United States Corps of Engineers and its relation to the United States Coast and Geodetic Survey.

Hon. George R. Putnam, Commissioner of the United States Bureau of Lighthouses.

Subject: The Lighthouse Service and its relation to the United States Coast and Geodetic Survey.

Mr. George Washington Littlehales, hydrographic engineer, United States Hydrographic Office.

Subject: Hydrography and charts with special reference to the work of the United States Coast and Geodetic Survey.

AFTERNOON OF APRIL 6, AT THE NEW NATIONAL MUSEUM, WASHINGTON, D. C.

(*Beginning at 2 o'clock.*)

Prof. William Henry Burger, professor of civil engineering, Northwestern University.

Subject: The contribution of the United States Coast and Geodetic Survey to geodesy.

Rear Admiral Richard Wainwright, United States Navy (retired).

Subject: The Civil War record of the United States Coast and Geodetic Survey and what the survey is doing toward preparedness.

Dr. Otto Hilgard Tittmann, president of the National Geographic Society.

Subject: The international work of the United States Coast and Geodetic Survey.

Dr. Charles Lane Poor, professor of celestial mechanics, Columbia University.

Subject: Oceanic tides with special reference to the work of the United States Coast and Geodetic Survey.

Dr. Douglas Wilson Johnson, associate professor of physiography, Columbia University.

Subject: The contribution of the United States Coast and Geodetic Survey to physical geography.

EXHIBIT OF THE UNITED STATES COAST AND GEODETIC SURVEY AT THE NEW NATIONAL MUSEUM, WASHINGTON, D. C.

Wednesday, April 5, 1916 (open 10 a. m. to 11 p. m.).
Thursday, April 6, 1916 (open 10 a. m. to 6 p. m.).

This exhibit will consist of surveying instruments and appliances, pictures of surveying operations and equipment, charts and other publications of the bureau. As far as possible the earliest instruments and appliances which were used by this bureau will be exhibited beside those now in use. The earliest maps and charts of the United States which can be obtained will be shown for comparison with the present charts issued by the bureau.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13486. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 13620. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

S. 3984. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 4399. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8493) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11078) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the bill (H. R. 2960) for the relief of the heirs of John Howard Payne, deceased, late United States consul at Tunis, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. CATRON. I present a letter from Ella Clapp Thompson, southern field secretary of the Congressional Union for Woman Suffrage, inclosing resolutions adopted at a mass meeting held in the capitol at Santa Fe, N. Mex., favoring the enfranchisement of the women of the Nation. I ask that the letter and accompanying resolutions be printed in the RECORD.

There being no objection, the letter and accompanying resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

CONGRESSIONAL UNION FOR WOMAN SUFFRAGE,
PALACE OF THE GOVERNORS,
Santa Fe, N. Mex., February 29, 1916.

Senator T. B. CATRON,
United States Senate, Washington, D. C.

DEAR SENATOR CATRON: I am directed by our newly elected State chairman, Mrs. Joshua Raynolds, of Albuquerque, to inclose a copy of a resolution passed unanimously at a meeting held by the Congressional Union last night in the State Capitol, and to request you to have the resolution read into the RECORD of the Senate.

With all good wishes,
Most sincerely, yours,
ELLA CLAPP THOMPSON,
Southern Field Secretary.

Resolved, That this mass meeting, assembled in the Hall of Representatives of the Capitol of New Mexico for the purpose of discussing the national suffrage amendment now pending in Congress, calls upon the Congress of the United States to pass immediately the resolution proposing to enfranchise the women of the Nation. Be it further

Resolved, That a copy of this resolution be sent to the Senators and Representative from New Mexico, urging them to do all in their power to secure this action from Congress at this session.

Mr. CATRON. I present a statement from the District of Columbia Association Opposed to Woman Suffrage. I ask that the statement be printed in the RECORD.

There being no objection, the statement was ordered to lie on the table and to be printed in the RECORD, as follows:

STATEMENT OF THE DISTRICT OF COLUMBIA ASSOCIATION OPPOSED TO WOMAN SUFFRAGE.

We desire to present some facts as to the pernicious effects of woman suffrage in the States where it now exists. There have been many theories on this subject presented by the suffragists. It is our purpose to present facts and figures showing that woman suffrage, where it has been tried, not only does not better conditions but actually tends to have the reverse effect from a practical standpoint. Senator THOMAS, of Colorado, has said that he concedes that woman suffrage has not and maintains that it will not change conditions. We agree with the distinguished Senator up to a certain point, but we believe that we can show positively that woman suffrage will in many instances change conditions for the worse. We will first present some figures which will prove conclusively that women do not vote as generally as men where the franchise is given them.

FAILURE OF WOMEN TO VOTE WHEN GIVEN THE BALLOT.

In the six suffrage States of California, Colorado, Wyoming, Utah, Idaho, and Washington—Oregon, Arizona, and Kansas did not adopt woman suffrage till November 5, 1912—the abstract of United States Census of 1910, pages 110 and 118, shows there were in April, 1910, 3,170,153 men and women 21 years of age and over, exclusive of Japanese and Chinese. The total vote actually cast for President November 5, 1912, in the six woman-suffrage States was 1,521,590, so 47.9 per cent of the men and women over 21 years of age, exclusive of Japanese and Chinese, actually voted.

In the six adjoining and neighboring States of Kansas, Nebraska, Oregon, Nevada, South Dakota, and Missouri, where men alone voted, the total number of men 21 years of age and over, exclusive of Japanese and Chinese, was (in April, 1910, Abstract of Census, p. 110) 2,295,119; total vote in the six male-suffrage States for President November 5, 1912, 1,587,984; 69.1 per cent of the men over 21 years of age, exclusive of Japanese and Chinese, actually voted, or about 22 per cent more of the possible voters in the male-suffrage States voted than did the possible voters of the six adjoining woman-suffrage States. If 69.1 per cent of the men voted in the woman-suffrage States, as men in the adjoining male-suffrage States did vote, then an analysis of the figures show that only 19.1 per cent of the women over 21 years of age in the six woman-suffrage States actually voted. If more than 19.1 per cent of women did vote in the six woman-suffrage States, then less than 69.1 per cent of the men voted, so it is impossible to escape one or the other conclusion—that the women do not vote as generally as men when given the ballot, or if they do their voting does cause less interest to be taken in politics by men, and in either event the suffrage cause is harmful to the Republic.

According to advice from Secretary of State Jordan's office at Sacramento, Cal., where the names and addresses of all registered voters are sent in order that sample ballots can be mailed them according to law, 804,633 men and 180,000 women registered in California to vote at election November 5, 1912. (See Los Angeles Times, Oct. 27, 1912.)

This shows that about 93 per cent of men in California registered and only about 27 per cent of the women. The total vote for President November 5, 1912, and all the candidates in California, was 673,527; total registration, 984,633; 68.4 per cent of men and women who registered voted. If 68.4 per cent of the registered women actually voted, which is not likely, as women do not register as generally as men—it is not to be supposed that they vote as generally—then only 18.3 per cent of women over 21 years of age in April, 1910, voted November 5, 1912, in the State of California.

In San Francisco in the latter part of 1912 at a local-option election out of 120,859 women over 21 years of age in the city 40,655 women and 89,023 men registered, yet only 15,087 votes all told were cast for local option, and it is estimated that approximately one woman in eight who was interested enough to register took the trouble to go to the polls.

At a city election in San Francisco November 11, 1913, 49,833 women registered and 19,678 voted, about one-quarter of the votes in this election being cast by women. In three precincts no women voted; in 49 out of 675 precincts there was an average of less than 10 votes per precinct by women. (Analysis of votes by Registrar of Elections Zemanski. (See Los Angeles Times, Nov. 20, 1913.) Census of 1910 shows there were 120,859 women over 21 years of age in San Francisco, so only 16.2 per cent voted in election of November 11, 1913.

At an election March 24, 1913, in Los Angeles, Cal., involving radical changes in the city charter, only 31,000 voters, men and women, out of 222,817 cast their ballots, this, too, after a citizens' committee of 1,000 advocated in all the newspapers the adoption of certain propositions and the defeat of others. Nine out of 10 of the reform measures were defeated. The Los Angeles Times of March 26, 1913, says:

"The vote of the women was disappointing. In some precincts it was a negligible quantity, while in others it was only about one-third of the total, yet suffragists carried on an active campaign, attended and spoke at all day meetings, and even worked at their headquarters on Easter Sunday."

At an election June 3, 1913, in Los Angeles, for mayor, Rose was elected by 8,037 majority over Shenk. Los Angeles had "good government" officials for several years before women had the ballot. Rose ran on an "open-town" platform and Shenk on "good government." Every newspaper and practically every minister in the city was for Shenk, and asked the voters to elect Shenk and have a clean city in the interests of the young men and women of Los Angeles.

The Los Angeles Times of June 5, 1913, gives the total vote as 84,055, nearly 100,000 under registration. The Times further says that in spite of the excellent organization of Mrs. John S. Myers and her corps of assistants the women did not turn out in any large numbers, and of those who did a considerable percentage appeared to favor the election of Rose. As there were 222,877 men and women over 21 years of age in Los Angeles (census of 1910), only 32.2 per cent of the men and women of voting age voted. The Los Angeles Express, June 4, 1913, had an editorial on the disgrace of electing Rose:

(From the Los Angeles Times, Oct. 27, 1915.)

"Two women voted yesterday at the city hall out of 71 registered. This is an average of less than 3 in 100, with ideal conditions for exercising the suffrage. None need to walk more than two blocks on perfect sidewalks and pavements in entrancing weather."

When we realize that this election was on important State constitutional amendments it proves that the women in California are not so eager to vote as the agitators in the East would have the people believe.

At an election in Chicago April 7, 1914, with the strenuous efforts of the suffragists to get out the female vote, only 158,686 women voted. Chicago had in 1910 626,629 women over 21 years of age. (Letter from Director of Census Feb. 28, 1914.) About 25 per cent of the women of Chicago over 21 years of age voted. More than double that number of men did vote at the same election.

Most of the women who do vote in the woman-suffrage States do so in self-defense, or at the earnest appeal of the male members of their families, and not because they want the ballot, for if such women did not vote they would lose their own and their husband's political status, with which they were satisfied under male suffrage, and must either

vote or live under the laws to which they are opposed and made by noisy, ranting suffragists. For this reason it is unjust to place the burden on a majority of women in order that a few aggressive, forward, notoriety-seeking women can get into politics, some of whom resent the fact that they were created women and not men.

Helen M. Foster, in Los Angeles Times, November 7, 1913, under the head of "Woman lectures woman," commends Senator WORKS for daring to call attention to the neglect of citizenship by women voters, which she says are facts backed up by data and registration lists.

An editorial in the San Francisco (Cal.) Chronicle, January 3, 1915, says: "In this and other States the franchise was given without waiting for the request of the majority of the sex, and as the event has shown without the desire of a majority. It is even more than probable that were the question of the withdrawal of the right submitted to a vote in this State, with the women voting, the right would be withdrawn. There are multitudes of women who would register for such an election for the sole purpose of getting rid of a duty they detest and whose obligations they refuse to fulfill."

TAXATION AND WOMAN SUFFRAGE.

The suffragists, who have taken the slogan of our Colonies, "Taxation without representation is tyranny," utterly fail in endeavoring thereby to show a parallel between women without the ballot to-day and the condition of the Colonies in 1775. The men (the British Parliament) who voted the taxes on the colonists paid no part of the taxes they laid, and the more they could extort from the American Colonies the less the Englishmen would have to pay themselves; whereas to-day in the United States the men voting the taxes pay the larger part of the same. In our country only about one-eighth of the women of voting age pay taxes direct or indirect, so if women had the ballot the women who pay the taxes would not be so fairly and justly treated as they are now, for then seven-eighths of the women who would vote would pay no taxes, while with men alone voting more than seven-eighths of the voters are taxpayers, and pay about seven-eighths of all taxes. As men always have and always will produce the greater part of the wealth they will always pay the greater part of all taxes. No injustice is possible where the taxes are laid by the voters who pay the larger part of the amount. Most of the property on which women pay taxes is the fruits of the labor of male members of their families, acquired by gift, will, or placed in the names of women for some other reason.

Suffragists have claimed that if woman suffrage were adopted in the South it would make a white South, giving as their reason that there are more white women of voting age in the Southern States than negro men and women together. (Their statement is erroneous, as Abstract of Census, 1910, pages 110 and 119, shows that there were in the 11 Southern States, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Louisiana, Arkansas, and Texas, 3,708,863 negro men and women and only 3,401,622 white women.) But as there are about one quarter of a million more white men than white women in the South, instead of votes for women making the South whiter politically it would increase the proportion of negro votes. (On pages 110 and 118, Abstract of Census, we find that there were in the 11 Southern States above named 3,650,295 white men of voting age and only 3,401,623 white women.) Two Southern States, Mississippi and South Carolina, have a larger negro than white population, and there are nearly 200 counties in other Southern States where the negroes outnumber the whites, ranging all the way from a majority to three, four, and up to nearly six negroes to one white person, in Lee County, Ga., to over eight to one in East Carroll County, La. Besides, in many more counties the negro and white population is nearly equal. The per cent of negro women of voting age in the United States to total number of women over 21 years of age is 9.9 per cent, while the percentage of negro men to all men over 21 years of age is only 9.1 per cent.

In the 11 States above mentioned the per cent of negro women of voting age to all women over 21 years of age is 35.3 per cent, while the per cent of negro men of voting age to all men over 21 is only 33.6 per cent. Who would doubt that a larger per cent of negro women who were eligible would vote than white women? Who would contend that if the Southern States should ratify or have forced upon them a United States constitutional amendment granting the franchise to women, that the Federal Government would permit the negro race to be discriminated against by State laws in voting?

PROHIBITION AND WOMAN SUFFRAGE.

So many people are being misled on the liquor question by the suffragists that it is well to submit some facts on the subject. Prior to November 3, 1914, in no State in which women have voted on the question had State-wide prohibition ever been adopted. Ten States where men alone voted had State-wide prohibition. November 5, 1912, Colorado voted on State-wide prohibition; 75,877 votes were cast for the measure and 116,774 against it. (See Abstract of Votes, compiled from official returns by James B. Pearce, secretary of state, Denver, Colo.) If 58 per cent of the women over 21 years of age in Colorado had voted for prohibition, the measure would have become a law by 7,012 majority, without a single male vote being cast for prohibition, there being 213,425 women over 21 years of age in Colorado. (Abstract of Census, 1910, p. 118.)

Wyoming legalized gambling for about 40 years after women had the ballot, and had neither State-wide prohibition nor local-option laws.

About six years prior to the adoption of woman suffrage in California Los Angeles voted on local option, and the measure was defeated by nearly 2 to 1. About a month after women had the ballot in Los Angeles, the question was again voted on, and the saloons won by nearly 3 to 1.

In December, 1912, Los Angeles voted on the question of abolishing free lunches in saloons, but the measure was defeated and lunches are still free in Los Angeles saloons. Missouri and Connecticut have State-wide laws prohibiting free lunches in saloons. Women have had the franchise four and one-half years in Pasadena, Cal., and the sale of liquor has been legalized ever since women were given the ballot. Pasadena has 2,688 more women than men over 21 years of age (census 1910), about 29 per cent.

December 2, 1913, Santa Monica, Cal., voted wet; ballots nearly three to one for liquor, for liquor to be sold on Sundays and nights. Los Angeles Times of December 3, says: "The triumph of 'demon rum' and the sparkling cabaret is attributed to the women, who voted three to one against a Sunday drought." Total vote for the saloons and Sunday liquor 2,173, against 814. Letter under date of December 13, 1913, from Director of United States Census, shows that in 1910 Santa Monica had 2,462 males and 2,748 females over 21 years of age, 286 more women than men, yet we have the sale of liquor legalized in cafes all night and Sundays in a city of homes of less than 8,000—7,846—people, and we doubt that a parallel can be found in any State where the franchise is limited to men.

San Francisco, San Jose, Stockton, Oakland, and some other California towns permit the saloons to carry on their business as openly on Sunday as other days of the week.

Redondo, Cal., voted on local option October 14, 1913; the saloons won. Los Angeles Times, October 15, says: "That both sides claim the result was due to women's votes."

Anaheim, Cal., population 2,628, voted on local option November 6, 1913. The saloons won. (See Los Angeles Times, Nov. 7, 1913.)

San Bernardino, Cal., voted for the saloon January 30, 1914. (See Los Angeles Times, Jan. 31, 1914.) Watts, Cal., voted wet September 8, 1914. (Los Angeles Times, Sept. 9.)

At an election in California, April 13, 1914, out of 13 cities and towns voting on the liquor question, 9 voted "wet" and 4 small towns "dry." Hanford, population 4,829, and Merced, population 3,102, both of which had been dry, returned to the wet column. (See Los Angeles Times, Apr. 14, 1914.) Only 1 small county in California—Lake County—was dry, and only 10 counties out of 62 in Colorado were dry.

In Colorado Springs, Colo., where the sale of liquor was prohibited for many years, when women voted on the question about three years ago liquor selling was legalized. Colorado Springs had 819 more women than men over 21 years of age in 1910 (letter of Director of Census, Feb. 28, 1914).

On pages 208–209 annual report of the Commissioner of Internal Revenue, you will find that in the 8 States that had woman suffrage January 1, 1913, Colorado, California, Wyoming, Idaho, Utah, Washington, Arizona, and Oregon, there were 28,108 liquor dealers paying special license to the Government for the fiscal year ending June 30, 1914. From page 24, Abstract of Census, 1910, you will see that the 8 suffrage States above mentioned had a population of 6,040,592; 1 liquor dealer for every 211 people for the 8 States. For the remaining 40 States and District of Columbia there were 225,299 liquor dealers paying licenses for the same period. The 40 States and the District of Columbia had a population of 85,931,674, or 1 liquor dealer for every 381 people, or about one-half the number of dealers per capita that the woman suffrage States require, and yet we are told by the suffragists they are not favorable to the liquor interests.

At the local-option elections in Illinois, April 27, 1914, about 1,100 saloons out of 3,000, where elections were held, were abolished; 12 dry counties were added to the 30 already dry, making 42 dry counties of the 102 counties in Illinois.

Kentucky, where men alone vote, had 105 dry counties out of the 120 in the State, and Missouri had 65 no-license counties out of 114 in that State.

Iowa had 77 dry counties out of 99 counties in the State, and in Minnesota, at election April 7, 1914, two-thirds of the counties where local-option elections were held voted dry, and towns that had licensed saloons for 60 years were voted dry by men's votes.

Eight out of twelve counties in Michigan that voted on the liquor question April 6, 1914, voted dry, including Lansing, the capital of the State, by men's votes, while in Springfield, the capital of Illinois, where there are 205 more women than men over 21 years of age, voted to retain the saloons.

Eugene W. Chafin, former candidate on the prohibition ticket for President, said, at Long Beach, Cal., February 15, 1914, "that the support expected by Prohibitionists in California from women had not developed." (See Los Angeles Times, Feb. 16, 1914.)

During the suffrage campaign in Ohio Miss Margaret Foley, in addressing a meeting of labor-union men, said: "Don't be afraid, boys; we are not going to take your beer away from you."

One hundred women working effectually against prohibition amendment, making house-to-house canvass of Los Angeles. (See Los Angeles Times, Oct. 30, 1914.)

In Cleveland many of the suffragists insisted that it was only their enemies who said of them that they would vote against the saloons. In the recent campaign in Chicago, February, 1914, Miss Marion H. Drake, who was nominated for alderman in the first ward, was quoted in the newspapers as standing for "free lunch and saloons."

Mrs. Crystal Eastman Bennedict, a prominent woman suffragist of Wisconsin, made, before the Manufacturers and Dealers' Club of Milwaukee, in addressing the assembled brewers, the statement: "Why all this hue and cry about woman suffrage injuring the brewing industry? Is it not a little foolish?" Mrs. O. H. P. Belmont, in an address, said she would welcome the support of the brewers and praised Mrs. Bennedict for her work among the representatives of that interest.

Mrs. Minnie Reynolds, for the National Suffrage Association, recently challenged anyone to find a word concerning prohibition among the pamphlets issued by the association.

Hugh Fox, secretary of the United Brewers' Association, in a letter printed in the report of the hearing in December, 1913, before the Committee on Rules of the House on the resolution establishing a committee on Woman suffrage, said: "The United Brewers' Association states that the antisuffragists have never received nor asked for contributions from them, although, he adds, "we have had appeals from the other side."

May Wright Sewall said, October 30, 1913, in Milwaukee, "Votes for women will no more prohibit drink than they will prohibit food."

Mrs. Grace Wilbur Trout, president of the Illinois Equal Suffrage Association, and one of the leaders in the lobby at Springfield which brought about the enactment of the suffrage bill, said:

"It is a great pleasure to remember that some of the firmest supporters of the suffrage measure in the forty-eighth general assembly were some of the so-called wets."

Suffragists have said that the reason the woman-suffrage States had not adopted prohibition was because there were so many miners in those States and that men outnumbered the women so greatly. The six States that had woman suffrage November 1, 1912—California, Colorado, Utah, Wyoming, Idaho, and Washington—had in December, 1909, 78,565 wage earners engaged in mining industries. (Abstract of Census 1910, p. 561.) Total number of men over 21 years of age in the six States, 1,911,518 (Abstract of Census, 1910, p. 107), or about 1 man of every 24 a miner. West Virginia, a prohibition State, had 78,404 wage earners in the mining industry and had in 1910, 338,349 men over 21 years of age, or about 1 man out of every 4 a miner. Alabama, that voted State-wide prohibition, had about 1 man out of every 16 engaged in mining, and Kansas (Kansas adopted prohibition about 30 years ago) had only a few less per capita engaged in mining than the six woman-suffrage States, and yet West Virginia, with nearly six times the number of men per capita over 21 years of age working in mines, and with Alabama with one-third more per capita, and Kansas with only

a few less per capita of miners than woman-suffrage States, all voted State-wide prohibition with men's votes only.

Santa Monica and Pasadena, Cal., and Colorado Springs, Colo., all of which have more women than men over 21 years of age, voted to legalize the sale of liquor, so some other reason than more men than women and miners in woman-suffrage States must be found for those States being "wet" States until some of which voted "dry" in 1914. in November, 1912, Colorado voted "wet" by about 40,000 majority; in November, 1914, it voted "dry" by 11,572. As there were more men over 21 in Colorado, as well as other suffrage States, than women, the men undoubtedly voted the States dry, as the proportion of men to women has changed but little in two years. California, with 137 men to 100 women of voting age, defeated prohibition by 169,345, while Washington, with 158.9 men to 100 women, adopted prohibition by over 18,000 majority, and Oregon, with 152.8 men to 100 women, by 36,480. Taking the vote collectively of the five woman-suffrage States that voted on prohibition in 1914, the majority against prohibition was 99,416; population of the five States, 5,195,682. Taking the vote of the two male-suffrage States that voted on prohibition the same year, Ohio and Virginia—population, 6,828,733—the majority against prohibition was only 53,787; Ohio, which has very large brewing, distilling, wholesale and retail liquor interests, voted against prohibition by only 84,152, and about 40,000 in 1915, while California, whose wine and liquor interests are probably very much less, computed in dollars and cents, voted against prohibition by 169,245, and California has only about half the population of Ohio. So anyone who will make an investigation of female suffrage and the liquor question will find it is not women's votes that bring prohibition, but a general sentiment being worked up against the liquor business.

It is admitted that a prohibition law is the most difficult of all laws to enforce, even when a majority of men in a State vote for it. What chances would there be for the enforcement of such a law if the majority of men were against prohibition and such a law was enacted by women's votes?

Virginia adopted prohibition in 1914 by men's votes. Ohio defeated it the same year. Four woman-suffrage States voted prohibition in 1914, but California, a suffrage State, with nearly as large a population as all four woman-suffrage States combined that adopted prohibition (and had more women, proportionately, than the four suffrage States that abolished the liquor traffic), voted overwhelmingly against prohibition. California also voted that the people of that State should not be permitted to vote on the liquor question for eight years. The liquor dealers certainly have nothing to fear from woman suffrage in California.

It has been charged that the liquor interests defeated woman suffrage in the five States that rejected it on November 3, 1914; yet the only two States that adopted it at the same time were Montana and Nevada, the two "wettest" States in the Union, and the States where there never was any territory voted "dry," while North Dakota, a prohibition State; South Dakota, 68 per cent; Nebraska, 56 per cent; and Ohio, 52 per cent "dry," all defeated woman suffrage in 1914. The cities of Lincoln, Omaha, and Fremont, Nebr., cities with large brewing and liquor interests, collectively gave a majority for woman suffrage, while the country districts of that State (in which are many "dry" counties) gave over 10,000 majority against it.

Recently there was a large parade in Chicago, on Sunday, to protest against closing the saloons on Sunday. It was called the "Chicago Sunday-booze parade." The marshal of the parade is quoted in the Chicago Herald of November 8, 1915, as saying that "not less than 33⅓ per cent of the 100,000 marchers were women."

Many of the dry counties in Ohio and Pennsylvania gave large majorities against woman suffrage; so it is absurd for suffragists to lay their defeat to the liquor dealers.

SCHOOLS AND PLAYGROUNDS.

Suffragists tell us on all occasions that if women had the ballot much better laws for the education and welfare of the child and youth of our country will be enacted. Let us cite a few instances to disprove such a theory:

At Berkeley, Cal., April 12, 1913, for the issuance of bonds for playgrounds, which were defeated, only about 1,500 of the 8,000 women of the city voted. The mayor, who had been a zealous worker for woman suffrage, reprimanded the women for their negligence of this particular issue, which of all others should interest them. In a newspaper article he asks, "Where were the mothers?" Berkeley had 1,301 more women than men over 21 years of age in 1910 (letter of Feb. 28, 1914, Director of Census).

At Pasadena, Cal., where there were 2,688 more women than men of voting age, the playgrounds that were the pride of Pasadena, and were established before women had the ballot, were discontinued in July, 1913, on account of the failure of the voters to vote money for the purchase of the grounds. (Los Angeles Times, July 27, 1913.) No other playgrounds have been purchased for the children.

At an election November 12, 1913, Pasadena, Cal., failed to vote bonds to repair leaky roofs and make sanitary repairs on schoolhouses, to complete new schoolhouses under construction, and to make it possible to provide schools for the entire school year. The superintendent of schools said the school year would have to be cut a month or two, and that some schools would have to close when the rains began. (Los Angeles Times, Nov. 13, 1913.)

It happened to rain November 12 in Pasadena, and some thought the bonds might have carried had the vote been taken on a fair day when the ladies could more conveniently get to the polls, so it was decided to have another election to vote for bonds in a less amount than was voted on November 12. So on January 16, 1914, a fair day, another election was held, and the bonds were again defeated. So the voters of Pasadena decided at two elections that the repair of leaky roofs and sanitary improvements, etc., of schoolhouses, as well as playgrounds are to be indefinitely postponed. A letter dated January 12, 1914, from the Director of the Census states that there were in 1910, 9,262 males and 11,950 females over 21 years of age; the total vote for and against the bonds was 4,832. Only 22.7 per cent of the voters of Pasadena—population, 30,291—was interested enough to go to the polls at the election of January 16.

At an election of September 11, 1914, at Pasadena, to vote bonds for about $12,000 to pay school-teachers the balance of their salaries due for teaching the previous school year, the bonds were defeated. (Los Angeles Times, Sept. 12, 1914.)

The Arizona Republican of May 26, 1915, says (editorially) of the appropriation bill: "But there was one thing done in the name of economy for which the members of neither house of the legislature in years to come will want to claim credit. We think they will incline to disclaim responsibility—that was the reduction of the State school fund from $500,000 to $100,000 a year."

When men alone voted in Arizona they voted five times as much for school purposes as when women had been voting about three years.

Much has been said by suffragists about the recall of the mayor of Seattle, who has since been renominated and reelected, and the abolishing of the Barbary Coast, San Francisco. Mayor Harper was recalled in Los Angeles about four years before women voted, on account of not enforcing laws against vice, and more than 50 cities in the country have abolished segregated vice districts in the past three years. Los Angeles abolished the segregated district about 6 years before women had the ballot, but it took Denver nearly 20 years after women voted to do away with its segregated vice district. An abatement law was passed in the District of Columbia by men, and such a law has been passed or is pending in several male suffrage States.

Denver Post, October 17, 1913, report of Mrs. Stewart Walling and Dr. Elizabeth Cassidy: "Colorado Reformatory rotten. Nothing but filth and graft found at Buena Vista. Merely a preparatory school for the penitentiary. The reformatory, submerged in politics, is a monument to graft, ignorance, stupidity, extravagance, and mismanagement. Building so infested with vermin that only fire could purify it."

The Daily News, of Denver, of October 13, 1913, says the Rev. A. E. Shattuck, of Grand Junction, has stirred up the animals in fine shape by public denunciations of conditions which he alleges exist in Grand Junction, Colo.

Here are a few of the opinions he expresses: "Lawlessness is pronounced among us." "Illicit liquor selling is notorious." "Gambling joints are in full swing." "Boys and girls roam our streets late at night in unrestrained violation of our curfew ordinances." (The mothers are possibly away from home attending to political affairs.) "Officials who hate unjust gain we need."

WAR AND WOMAN SUFFRAGE.

Suffragists continually tell us that if women had the ballot wars and internal strife would be a thing of the past, yet Colorado, which has had woman suffrage for nearly a generation, was in the throes of civil war nearly all of 1914. The State had become so weakened in its fabric that it could not keep order and protect life and property within its borders, but was compelled, through the State authorities, to call upon the President of the United States to send Government troops to administer affairs and bring order out of chaos. This is another proof of the failure of woman suffrage in the model State of Colorado, and refutes beyond any possibility of controversy the suffragists' claim.

The European war came suddenly, and, as with most wars, there was no time for men to vote whether war should or should not be declared. Should a foreign foe invade our country and the women of our land vote to offer no resistance, but decide to surrender our liberty and property and submit to the yoke of a foreign despot rather than consent to the men defending our homes and firesides by going to war, and the men of our Nation decide to fight for the honor and well-being of our country, how could the women prevent them? Could an army of women in a contest at arms defeat their husbands, fathers, sons, and brothers? Would it be right for women to vote that our men should not defend our homes and country? On the other hand, would it be just and right for the women of our country to vote that our men should go to war when the women would be unable to do their share of the fighting?

WAGE-EARNING WOMEN AND WOMAN SUFFRAGE.

It has been said that women working in stores and factories need the ballot to increase their wages and for bettering their condition generally. Of the 8,075,773 female workers over 10 years of age only 4,436,804 are employed outside their home and home farms; 1,346,905 are under 21 years of age, leaving only 3,088,899 to vote—only about one-eighth of the women of voting age in the United States, there being many times more workingmen than working women in the country. Why have not men increased their wages by the ballot, as men have had the ballot for over 100 years? If the ballot can increase wages and produce wealth and make equal pay for equal work, why do different wage scales obtain in different parts of this country, and why do laboring men rely on labor unions instead of the ballot for better wages and working conditions?

The main reason for lower wages for women, aside from the physical difference, which the ballot can not change, is that women are only temporary wage earners, about seven years being the average length of time which women engage in wage-earning occupations; after which they graduate into matrimony, their natural sphere, which is the expectation of every normal woman.

As there are over 20,000,000 women of voting age not employed as wage earners, what chance would 3,088,899 working women have in a contest of votes, with 20,000,000 women not so engaged and about 27,000,000 men voters besides? The first "mothers' pension law," the first "workmen's compensation law," the first "red-light abatement law" were first passed in male-suffrage States. No woman-suffrage State can show better laws than can be shown in male-suffrage States, and it is acknowledged that Wisconsin, Michigan, Ohio, Nebraska, Missouri, Pennsylvania, New York, and Massachusetts all of which recently defeated woman suffrage overwhelmingly, and Connecticut, Indiana, and others—all male-suffrage States—are in the fore front with good laws for women and children, and years ahead of woman-suffrage States in this regard.

Judge Lindsey, in an address in Denver last year, said: "We are 20 years behind Massachusetts in spite of suffrage."

At an election November 3, 1914, California defeated an 8-hour law and 48 hours per week; and Oregon defeated an 8-hour day and room-ventilation law for women by a large majority.

In most States where men make the laws a woman can desert her husband and all he can do is to ask her to come back to him, while men can be arrested and imprisoned for deserting their wives. In many male-suffrage States women can sell and convey their real estate without the husband signing the deed, while men must have their wives' signatures in order to sell and convey their own lands.

Women acting as nonpartisans, without the vote will get more favorable legislation and better laws of every kind enacted than as partisans with the vote.

WOMAN SUFFRAGE UNDEMOCRATIC.

Woman suffrage is undemocratic: First, because the leaders will not leave the question to the women to decide, but would have the men force suffrage on women, 80 per cent of whom do not want the ballot. Second, as has been proven beyond a doubt, which anyone can verify by United States census and secretary of state's reports, women will not vote, relatively as generally as men of the different classes, and can never do so, however much they might desire to on account of their

duty of motherhood; consequently the will of the majority is often set aside and defeated where women vote, and the political status of both men and women changed, and laws representing the will of the minority enacted. This is one of the great injustices of woman suffrage, for laws representing the will of the minority are dangerous to our free institutions. Third, as the Father of our Country truly said, "Government without force is a nullity," and is not just nor democratic for women to vote laws unless they can fulfill all the functions of government. As they can not serve in the Army and Navy, assist the officers in arresting criminals and putting down riots, etc., it can not be said they have a right to vote laws which they can not enforce and which would not be enforced unless the men of the country desired they should be.

WOMAN SUFFRAGE NOT AN INHERENT RIGHT.

"The granting of the franchise," said Chief Justice Marshall, "has always been regarded in the practice of nations as a matter of expedience, and not as inherent right."

If it is a right for all to vote who pay taxes and who live under laws they must obey, then all State laws preventing Chinese, United States soldiers, and illiterate men from voting should be repealed. Also laws for punishing boys for crimes or taxing their property should be abolished, as boys have no voice in making the laws of the land till they reach the age of 21 years. Yet who would say that the laws pertaining to the youth of our land are unfair or unjust, or who would say that the illiterate man is living under unjust laws in the many States where he is not allowed a voice in the making of them? Would it be wise for our laws to be made by illiterate men? Illiterate men, Chinese, and boys under 21 are people, and are not allowed to vote; and it is not now and never has been considered expedient for all people to use the franchise. Only when the interests of all the people—men, women, and children—are best served by granting the franchise to any one is voting a right, as suffrage is a political and not a natural or inherent right, but entirely a matter of expediency.

The women of Colorado or Arizona might say that, as men had always held the offices for the enforcement of laws against crimes, such as train robbing, cattle stealing, etc., that it was a right for women to be placed in these offices; but who would say that women could arrest criminals and enforce the laws as well as men? And as they could not, who would say it was a right they should be given such offices? The same is true of voting; as women only perform the duty of voting to a much less degree than men, and thereby the will of the people is not as well expressed at the polls, it can not be a right, nor is it justice, for women to vote.

We believe that you will agree with us that the main object of voting is to register the will of the majority; that it may be crystalized into the law of the land; that any propaganda that tends to and does, in some instances, defeat the will of the majority is inimical to our form of government.

We think, from the instances cited, we have shown beyond question that women given the ballot do not vote as generally as men. When a man votes in a male-suffrage State, his vote counts one, but in a woman-suffrage State, unless his wife votes, his vote counts one-half. If a single man, if the women of his class do not vote relatively as generally as men of his class and opinions, his vote is of less effect than if women were not enfranchised. The fact that the different classes of women do not vote relatively in so large a proportion as men of the different classes in the suffrage States tends to, and in many instances does, defeat the will of the majority; and the registration of the will of the majority is the corner stone of democratic government. No cause can be just or right that defeats this end. Women's failure to vote as generally as men, where they have been given the ballot, in many cases cause laws to be enacted that are the will of the minority; and that is one of the greatest injustices of woman suffrage, for the laws made by minorities are injurious to our free institutions.

As an illustration of how the will of the minority controls an election on account of women failing to vote relatively in as large numbers as men, in San Francisco County, Cal., where the sentiment was not favorable to woman suffrage, only 35.5 per cent of the men and women over 21 years of age voted for President November 5, 1912, while in Los Angeles County, Cal., which had in 1910, 346,158 men and women over 21 years of age, which gave a large majority for woman suffrage, 48.5 per cent of the men and women of voting age voted for President in November, 1912. The vote for Wilson in San Francisco County, which had in 1910, 297,269 men and women over 21 years of age, was 48,965; Roosevelt, 38,610; Debs, 15,354. Had 48.5 per cent of the men and women in San Francisco County voted, as they did in Los Angeles County, there would have been cast 144,175 votes for the presidential candidates, instead of 105,646, the actual number cast; and if 144,175 votes had been cast in the same proportion as the 105,646 votes were cast, Wilson would have received 18,288 more votes than he did and Roosevelt 14,478 more; and instead of Roosevelt carrying California by 174 votes, Wilson would have had the State by 3,636 plurality.

Only 43 per cent of the men and women over 21 years of age, exclusive of Japanese and Chinese, voted in California November 5, 1912.

Men alone voting register the will of the men and women much better than if women and men both vote, for the reason that the different classes of men vote relatively in larger numbers than the different classes of women. Women adhere to different political parties in the same proportion as men, as is generally proven by their being no change in the political complexion of States where women have been given the ballot. The average woman, if she votes, registers the same opinion as her husband, father, or brother; but if she should occasionally vote differently, by voting the Democratic ticket and her husband voting the Republican ticket, in another family the reverse may be true, the husband instead of the wife voting the Democratic ticket, so in the final count there would be no change at all in the results; if women voted as generally as the men, but as women do not vote relatively as generally as men, the will of the minority is sometimes registered at an election with women voting, while the will of the majority would have been registered with men alone using the franchise. If every husband and wife voted differently and canceled each other's vote, the making of the laws of our land would be left to the unmarried men and women, who are the smaller part of our voting population.

Also the office-seeking female politicians and their personal friends will vote more generally than women not looking for office, and as non-office-seeking women do not and will not vote in as large proportion as men, the power of the "boss" in politics will be strengthened and increased by giving women the ballot.

RURAL COMMUNITIES AND WOMAN SUFFRAGE.

Another of the many instances that could be cited to show the injustice of giving women the ballot is the fact that it would reduce the power in politics of that great independent vote of the rural communities, which is the larger part of our population. The women in the rural districts, living farther from the polling places, would not vote as generally as city women, who reside a few blocks from where they cast their ballots; consequently a smaller per cent of women in the country would vote than city women; and as country women could not vote as generally as the men, then the power in politics of our rural communities would be lessened by woman suffrage. Also, in our big cities, where, the liquor interests are large, the saloons, breweries, hotels, and cafés that sell liquor, property owners who rent property to such interests, and all allied trades and business, as well as gamblers, etc., see that their women go to the polls on election day nearly as a unit, besides inducing their women friends to vote, it being to their interest financially to do so, while women with no monetary interests in the election would fail to vote as generally as men of their class and opinions do. So the will of the majority in such an election may often be defeated and liquor interests win; while if men alone voted, the saloon might be abolished. As before mentioned, when men alone voted on local option in Los Angeles, the saloon won by two to one, while with women voting the saloons won by nearly three to one. The same applies to any political machine that seeks to gain ascendancy for graft, organized socialism, etc., that really want to gain advantage and defeat the will of the majority.

FEMINISM AND SOCIALISM.

According to Mrs. Beatrice Forbes-Robinson Hale, noted suffrage speaker and writer, woman suffrage is "an essential branch of the tree of feminism." "Feminism," she says in her book on the subject, "is gradually supplying to women the things they most need." Among these things she mentions 'easy divorce" and "economic independence."

Feminism is variously defined, but in whatever guise of words we find it we see the same earmarks of revolt against nature and Christian morals. The feminist is an avowed enemy of the home. Writing in McClure's Magazine for March, 1913, Inez Milholland Boessevain, a prominent suffragist, foresees with delight "the beginning of a breakdown of the artificial barriers in the way of a more natural observance of the mating instinct," in other words "free love."

The Case for Woman Suffrage, a bibliography of suffrage literature, published by the College Equal Suffrage League, and sold by the National Woman Suffrage Association, sneers at the "old-fashioned" suffrage arguments and gives the highest meed of praise to the radical writings of the most radical feminists and socialists. "Too many advocates of woman suffrage," says the Case (p. 64), "insist that when woman is enfranchised she will be no less 'womanly' than before; whereas in point of fact perhaps the chief thing to be said for the suffrage is precisely that it would make woman less womanly in the commonly accepted sense of the term. One can not argue logically on woman suffrage without facing this fact."

The devotees of feminism talk glibly and coarsely about "sex freedom" and "sex independence for women," all to be achieved with the vote. "Economic independence for women" is a phase of the suffrage question that ought to interest the workingman, for it is the theory that all women, married and single, should engage in gainful occupations. Feminists agree that the wife must be independent of her husband, because to be dependent upon him for maintenance is to be a "parasite." She must also be independent of the care of her children, if she elects to have any, because otherwise she can not earn her own living. Dora Marsden, in The Bondwoman, a pamphlet attacking marriage and characterizing wifehood as a species of slavery, says: "The free woman's concern is to see to it that she shall be in a position to bear children, if she wants them, without soliciting maintenance from any man, whoever he may be." The Bondwoman was printed and circulated as a campaign document by the National Woman Suffrage Association.

Charlotte Perkins Gilman, leading suffrage speaker and writer, in an article in the Woman's Journal, the suffrage organ edited by the president of the Massachusetts Suffrage Association, says:

"The woman should have as much to do in the home as the man—no more. Who, then, will take care of a sick baby? The nurse, of course. If the child is not seriously ill, the nurse is as good as the mother. If the child is seriously ill, the nurse is better."

She also has said the home is no more holy than the post office.

Mary Ware Dennett says it is unwholesome for any woman to be supported by any man. Mrs. Dennett was formerly an officer of the Massachusetts Woman Suffrage Association, later an officer of the National Woman Suffrage Association. Under this theory of economic independence for women the husband must cease to be the provider and the wife must cease to be the home maker; otherwise their relations are unwholesome.

In the suffrage parade in Washington, D. C., March 3, 1913, was carried a large banner with the inscription, "1,000,000 Socialists work and vote for woman suffrage." There is no getting away from the fact that woman suffrage, feminism, and socialism are indissolubly linked. Socialists like Inez Milholland Boessevain, Mrs. Harriet Stanton Blatch, Alice Stone Blackwell, and Miss Jessie Ashley are prominent leaders in the Woman Suffrage Party. Socialists favor woman suffrage because they know what it means to their cause. Where do you stand? Are you in favor of it? Do you care to have private property abolished? Do you believe that wifehood is slavery? Do you think homes should be abandoned in order that women may have economic independence? If you want these things, work for woman suffrage with the feminists and Socialists; but if you hold your family relations, your home, your religion sacred, if you desire to preserve them for yourself and your children for all time, then work with all your might against the companions, the handmaids, the forerunners of feminism and socialism—woman suffrage.

WOMAN SUFFRAGE AND DIVORCE.

It has been said that there was no connection between votes for women and divorce, yet it is significant that in the 11 States where the sentiment was favorable to woman suffrage (Wyoming, Idaho, California, Utah, Montana, Arizona, Washington, Oregon, Nevada, Colorado, and Kansas) there was, according to marriage and divorce, United States Census Bulletin No. 96, page 20, an average of 364 divorces per 100,000 of married population, while in the adjoining male-suffrage States west of the Mississippi River (Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Louisiana, Arkansas, Oklahoma, Texas, and New Mexico) the average number of divorces was only 264 per 100,000, and for the United States as a whole only 200 per 100,000 of the married population.

The suffragists say they demand justice for women in demanding the ballot for women; but for which women—the 20 per cent who demand it or the 80 per cent of the women who protest or who are silent on the question? Should 80 per cent of the women be compelled to bow

to the will of 20 per cent? We are entirely unable to understand how anyone can claim that women have the right to vote and deny, as the suffragists do, that women have the right to vote on the question as to whether they want the ballot or not. In the 11 suffrage States—Kansas, Montana, Oregon, California, Arizona, Utah, Nevada, Washington, Idaho, Wyoming, and Colorado—the total number of women of voting age was 2,097,945 (census, 1910), which is 16,063 less women of voting age than reside in the State of Pennsylvania. Population, not territory, counts.

Total majority against woman suffrage in Pennsylvania, New York, New Jersey, and Massachusetts at the election last year was 434,865. Abstract of census, 1910, page 107, shows there were in the United States 26,999,154 men and 24,555,754 women 21 years of age and over. So if women were given the ballot they could not, if they desired to do so, vote any laws that the men opposed.

We deny the allegation of the suffragists that the men of this country have made a failure of government, or that men have become such "mollycoddles" or so weak that it is necessary to place the burden of government upon women, most of whom are opposed to having the additional responsibility imposed upon them. It is an insult to the men of this country to be told by the suffragists that they can not be trusted to make just laws for women and children, when an average of four-fifths of the earnings of the man, over and above the necessities of the family, are spent on the women and children.

Suffragists often quote the praise given woman suffrage by politicians from suffrage States, but it could hardly be expected that politicians from States where women have the franchise would condemn woman suffrage, as the loss of a few votes of the agitating class of women, or even one vote to a politician, might mean the loss of a big-paying office.

If women could ever vote as generally as men there would be little or no change in our laws, for if even once in a while a wife voted in opposition to her husband and canceled his vote—in which event the family would have no voice in the laws at all—the final result of the whole vote would rarely be changed, and we would have the absurd spectacle of two people doing what one alone could accomplish as well and waste all the effort expended in the study of politics by women and the enormous expense the doubling the vote would entail.

The foundation of every government is the family, and the large majority of men and women of voting age are married. If a wife voted in opposition to her husband there would be no necessity for either to vote, while if they voted alike her vote would be useless.

Our Government is in part one great business concern; and what business man or factory owner would not consider a proposition childish to use for part of his work double the number of people at double the cost to do something which would be of absolutely no profit? Yet it has been proven that suffrage does not better conditions or laws, and still suffragists ask men to give women the ballot when it would almost double the cost of elections and nearly double the number of people to do the voting, with no good whatever accomplished.

Under caption "What freaks do to California," the Los Angeles Times of September 26, 1914, prints, in a dispatch from Sacramento: "California citizens will pay approximately $1,637,500 for the privilege of exercising the right of suffrage this year. This is an increase of 133⅓ per cent since 1910." Above amount is exclusive of city, county, and special elections. Women were given the ballot in California October 10, 1911.

Five States defeated woman suffrage in 1914 and the four States of New York, New Jersey, Pennsylvania, and Massachusetts, containing about one-fourth of the population of the country, in 1915. The wave of hysteria is passing, and instead of woman suffrage growing it is on the decline, as is shown by the vote in Michigan, where it was defeated in November, 1912, by about 700 majority and in 1913 by 96,144. In Ohio in 1912 "votes for women" was defeated by 87,455 majority and in 1914 by 182,905. In the past three years 11 States in all have by overwhelming majorities decided against giving women the ballot, viz, Wisconsin, Michigan, Ohio, Missouri, Nebraska, North Dakota, South Dakota, New York, New Jersey, Pennsylvania, and Massachusetts, which have a population of 38,239,955; add to these the 12 Southern States whose hostility to woman suffrage is well known—Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas—we have the States with a population of 62,289,524 known to be strongly opposed to the franchise for women, or 67.7 per cent of the total population of the Nation. Besides these the 5 New England States—Maine, New Hampshire, Vermont, Rhode Island, and Connecticut—the States of Delaware, Maryland, Kentucky, Indiana, New Mexico, and Minnesota, in all of which there has never been enough of suffrage sentiment to get the legislatures to submit the question to the voters. So it is more than probable that the States containing about 80 per cent of the population of the United States are decidedly against "votes for women." Woman suffrage is not coming, it is going.

The more women go out into the rough world to do men's work the greater the loss to the home and the more she loses her delicate charm and sympathy, which is distinctly feminine; and, in the language of the late Senator Vest, of Missouri, "What man would care to go home after the struggle and worry of the day in the business world and fall into the arms of a constitutional lawyer or politician for rest, consolation, and comfort?"

DISTRICT OF COLUMBIA ASSOCIATION OPPOSED TO WOMAN SUFFRAGE.

OPINIONS OF EMINENT MEN AGAINST WOMAN SUFFRAGE.

Thomas Jefferson: "Nature has marked the weaker sex for protection, rather than the direction of government."

Daniel Webster: "It is by the promulgation of sound morals in the community, and more especially by the training and instruction of the young that woman performs her part toward the preservation of a free government."

The Hon. Elihu Root, United States Senator: "I am opposed to granting suffrage to women because I believe it would be a loss to women and an injury to the State. * * * It is a fatal mistake that these excellent women make when they conceive that the functions of men are superior to theirs, and seek to usurp them."

Grover Cleveland: "I am willing to admit it was only after a more thorough appreciation of what female suffrage really means that I became fully convinced that its inauguration would vastly increase the unhappy imperfections and shortcomings of our present man-voting suffrage, its especial susceptibility to bad leadership and other hurtful influences would constitute it another menacing condition to those which already vex and disturb the deliberate and intelligent expression of the popular will."

William Howard Taft: "If in any of the States now acting on the question I were called upon to vote, I would vote against giving the suffrage, because I think to force it upon an unwilling or indifferent majority * * * is to add to the electorate an element that will not improve its governing capacity."

Rev. Lyman Abbott, D. D.: "If any man attempts woman's functions, he will prove himself but an inferior woman. If woman attempts man's functions, she will prove herself an inferior man. Some masculine women there are; some feminine men there are. These are the monstrosities of nature."

Bishop John H. Vincent (founder of the Chautauqua): "When about 30 years of age I accepted for a time the doctrine of woman suffrage and publicly defended it. Years of wide and careful observation have convinced me that the demand for woman suffrage in America is without foundation in equity, and if successful must prove harmful to society."

James Cardinal Gibbons: "Woman is queen, indeed, but her empire is the domestic kingdom. The greatest political triumphs she would achieve in public life fade into insignificance compared with the serene glory which radiates from the domestic shrine, and which she illuminates and warms by her conjugal and motherly virtues."

Mr. CHAMBERLAIN presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation to make Sunday a day of rest, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. MYERS. I present a resolution adopted by the women voters of the State of Montana, in favor of the passage at this session of Congress of the Susan B. Anthony constitutional amendment for the enfranchisement of women. I ask that the resolution, together with the signatures, be printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution passed by conference of Montana women voters.

Resolved, That we, as women voters of Montana, assembled in State conference, at the Hotel Placer, Helena, March 21, 1916, demand that the national administration give facilities for the passage of the Susan B. Anthony amendment during the present session of Congress; and be it further

Resolved, That a copy of this resolution be sent to the administration leaders in our National Capitol, and to the members of the Montana congressional delegation.

Unanimously adopted.

Mrs. C. S. HAIRE, Helena,
State Chairman.
Miss MARY O'NEILL, Butte,
Mrs. M. K. NELSON, Great Falls,
Mrs. TYLAR THOMPSON, Missoula,
Mrs. W. PERHAM, Glendive,
Mrs. HARVEY COIT, Big Timber,
Miss BELLE FLIGELMAN, Helena,
Mrs. H. L. SHERLOCK, Helena,
Officers, Montana Branch, Congressional Union.

Mr. MYERS presented a petition of sundry citizens of Missoula, Mont., praying for the submission of a national prohibition amendment to the Constitution to the States, which was referred to the Commitee on the Judiciary.

Mr. MARTINE of New Jersey presented a memorial of sundry citizens of Jersey City, N. J., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. SHAFROTH presented petitions of sundry citizens of Colorado, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. ASHURST. I present resolutions adopted at a meeting of men and women voters of Arizona, favoring the ratification of the Susan B. Anthony amendment to enfranchise the women of the country. I ask that the resolution be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

Resolved, That this mass meeting composed of men and women voters of Arizona, assembled in Tucson this 20th day of March, 1916, calls upon Congress to pass forthwith on to the States for ratification the Susan B. Anthony amendment enfranchising all the women of the country.

Resolved, That copies of this resolution be sent to the President of the United States, to Speaker CLARK, to the Senate and House leaders of the majority party, to the two Senators, and to the Representative from Arizona; and be it further

Resolved, That the State chairman of Arizona be empowered, in forwarding the copies, to request that the resolution be read into the CONGRESSIONAL RECORD.

Passed unanimously March 20, 1916.

Mr. SHERMAN presented memorials of the St. Nicholas Parish, of Aurora, Ill., remonstrating against the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigation.

Mr. PHELAN presented a petition of the Woman's Club of La Jolla, Cal., praying for an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Lincoln Grange, No. 318, Patrons of Husbandry, of Cupertino, Cal., remonstrating against

an increase in armaments, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Santa Barbara, Cal., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. SHEPPARD presented petitions of sundry citizens of Texas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Bowie County, Tex., remonstrating against section 11 of the so-called cotton-futures act, which was referred to the Committee on Agriculture and Forestry.

Mr. HOLLIS presented petitions of sundry citizens of New Hampshire praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of Merry Meeting Grange, Patrons of Husbandry, of Alton, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of 26 members of Mountain View Grange, No. 305, Patrons of Husbandry, of East Conway, N. H., remonstrating against any change in the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Cherrydale, Va., praying that an appropriation be made for the construction of a new aqueduct bridge over the Potomac River, in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. McCUMBER presented petitions of sundry citizens of Leeds, N. Dak., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Crosby, Belfield, and Carl, in the State of North Dakota, remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. WEEKS. I present resolutions of the House of Representatives of Massachusetts, favoring moral support of the United States for the oppressed Jews in Europe. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1916.

Resolutions favoring action by Congress toward securing the moral support of the United States for the oppressed Jews in Europe.

Whereas at the close of the war of the nations that is now devastating Europe there will be a readjustment of the rights and privileges of citizenship in the belligerent countries; and

Whereas in some of the warring countries the Jews have been refused the privileges and responsibilities of full citizenship, denied equality before the law, and have been the subjects of persecution and oppression; and

Whereas the Commonwealth of Massachusetts has ever stood foremost for the assertion of human rights and has ever championed the cause of the weak and the oppressed: Therefore be it

Resolved by the House of Representatives of Massachusetts, That the Senators and Representatives in Congress from Massachusetts are hereby requested at the proper time to take concerted action toward securing the moral support of the United States for the oppressed Jews in Europe in their efforts to obtain full, complete, and honorable citizenship in the countries to which they have given loyal and patriotic devotion.

Resolved, That copies of these resolutions, attested by the secretary of the Commonwealth, be sent by said official to each of the Senators and Representatives in Congress from Massachusetts.

In house of representatives, adopted March 17, 1916.

A true copy.

Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. WEEKS presented petitions of sundry citizens of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Massachusetts State Board of Trade, praying for the construction of an intracoastal waterway from Boston, Mass., to Pensacola, Fla., which was referred to the Committee on Commerce.

Mr. TOWNSEND presented a memorial of sundry citizens of Kalamazoo, Mich., remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Jackson, Mich., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Republican Club of Detroit, Mich., praying for the enactment of legislation to grant pensions to employees of the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Michigan, praying for the removal of certain restrictions imposed by belligerent nations upon United States international commerce and mail, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Morenci, Mich., praying for an investigation into the price of gasoline, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Board of Commerce of Pontiac, Mich., praying for the enactment of legislation to fix a standard price for patented and trade-marked articles, which was referred to the Committee on Education and Labor.

Mr. POINDEXTER presented petitions of sundry citizens of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Chico, Centralia, Wenatchee, Rosalia, Mossyrock, Olympia, Klaber, and Tumwater, all in the State of Washington, remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Wenatchee, Tumwater, and Rosalia, in the State of Washington, praying for Government ownership of telegraph, telephone, and wireless systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Spokane, Wash., remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Granger, Wash., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. KERN presented petitions of sundry citizens of Indianapolis, Muncie, Fort Wayne, South Bend, Franklin, Huntingburg, Goshen, Tipton, Sardinia, Darlington, Russiaville, Yeoman, Richmond, Logansport, Evansville, Hanover, Charlestown, Franceville, Laurel, Portland, Valparaiso, Fountain City, Pulaski, and College Corner, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Branch, United Mine Workers, of Terre Haute, Ind., and a petition of Local Branch, International Molders' Union, of Montpelier, Ind., praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Elkhart, Ind., praying for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Maine, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Cliff Island, Me., remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for an investigation into conditions surrounding the marketing of dairy products, which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for Government ownership of telephone and wireless-telegraph systems, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Scranton, Windber, and Philadelphia, in the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against an increase in armaments, which were ordered to lie on the table.

He also presented memorials of sundry granges in the State of Pennsylvania, remonstrating against any change being made in the parcel-post law, which were referred to the Committee on Post Offices and Post Roads.

Mr. TILLMAN presented a memorial of the United States Chamber of Commerce, remonstrating against the enactment of legislation which would interfere with the development of industrial efficiency, which was referred to the Committee on Appropriations.

Mr. WARREN presented a memorial of Lyons Grange, No. 12, Patrons of Husbandry, of Lander, Wyo., remonstrating against an increase in armaments, which was ordered to lie on the table.

Mr. SMITH of Michigan presented memorials of sundry citizens of Michigan, remonstrating against the enactment of legislation to make Sunday a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Rotary Club, of Battle Creek, Mich., praying for an increase in armaments, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Michigan, praying for the placing of an embargo on munitions of war, which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Leetsville, Gulliver, Mancelona, Paw Paw, Eureka, Elk Rapids, Baraga, Houghton, Orono, Munising, Ann Arbor, Lansing, Ypsilanti, Bay City, Portage, Cassopolis, Pentwater, Alden, Ellsworth, Hubbard Lake, Sparta, Harbor Springs, Hope, Sault Ste. Marie, and Millersburg, all in the State of Michigan, remonstrating against any change being made in the parcel-post law, which were referred to the Committee on Post Offices and Post Roads.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Fort Laramie, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. CATRON, from the Committee on Military Affairs, to which was referred the bill (S. 2517) for the relief of Edward W. Whitaker, reported it with an amendment and submitted a report (No. 308) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 746. A bill to remove the charge of desertion from the military record of Capt. Daniel H. Powers (Rept. No. 309); and

S. 1274. A bill for the relief of Edward Stewart (Rept. No. 310).

Mr. BANKHEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 4881) to reimburse the postmaster at Kegg, Pa., for money and stamps taken by burglars, reported it without amendment and submitted a report (No. 311) thereon.

Mr. KERN, from the Committee on Finance, to which was referred the bill (S. 3304) concerning the exportation of alcohol and other distilled spirits, reported it without amendment and submitted a report (No. 312) thereon.

Mr. THOMAS, from the Committee on Finance, to which was referred the bill (S. 4764) to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved January 17, 1914, reported it with amendments and submitted a report (No. 315) thereon.

J. LAWRENCE LATHAM.

Mr. VARDAMAN. I am directed by the Committee on Post Offices and Port Roads, to which was referred the bill (H. R. 8466) to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office, to report it favorably without amendment, and I submit a report (No. 314) thereon. I do not wish the bill to go to the calendar, but I ask unanimous consent that the bill and accompanying report be referred to the Committee on Claims for action by that committee.

The VICE PRESIDENT. The bill will be referred to the Committee on Claims for action.

DAUPHIN ISLAND RAILWAY & HARBOR CO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 4476) to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands, as amended by an act approved June 18, 1912, and I submit a report (No. 313) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to amend section 1 of the act of June 25, 1910, so as to read:

That the Dauphin Island Railway & Harbor Co., a corporation existing under the laws of the State of Alabama, be, and it is hereby, authorized to construct, maintain, and operate a bridge or bridges and approaches thereto between the mainland at a point suitable to the interests of navigation at or near Cedar Point and Dauphin Island, both Little and Big, situated in Mobile County, State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the authority hereby granted shall be considered as withdrawn and deemed to be revoked if the said bridge or bridges and approaches thereto be not constructed and put in operation by or before the 18th day of September, 1921.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FORT M'HENRY MILITARY RESERVATION.

Mr. LEE of Maryland. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 68) to cede to the State of Maryland temporary jurisdiction over certain lands in the Fort McHenry Military Reservation. The joint resolution was reported yesterday from the Committee on Military Affairs. It simply gives to the State of Maryland jurisdiction over the territory embraced in old Fort McHenry, which the city of Baltimore has had for some time past as a park, but it lacks jurisdiction for the enforcement of order upon the reservation as a park.

This joint resolution was introduced in the House and passed the House, and was reported favorably by the Senate committee and is now upon the calendar. I ask for its immediate consideration because it has to be ratified by the Maryland General Assembly, which is now in session and will adjourn in seven days. The terms of the joint resolution are perfectly reasonable, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRRIGATION OF ARID LANDS.

Mr. SMOOT. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, with an amendment, Senate resolution 154 authorizing the Committee on Irrigation and Reclamation of Arid Lands to employ a stenographer, and so forth, and I ask unanimous consent for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, in line 4, to change the number of the bill from 4261 to 1922.

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Committee on Irrigation and Reclamation of Arid Lands, or any subcommittee thereof, be, and is hereby, authorized during the Sixty-fourth Congress to hold hearings on the bill (S. 1922) in aid of reclaiming arid lands, and for other purposes; to employ a stenographer, at a cost not to exceed $1 per printed page, and to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 5292) granting to the State of Colorado sections 2 and 32 in every township of said State for educational purposes; to the Committee on Public Lands.

By Mr. POMERENE:

A bill (S. 5293) granting a pension to Florence Sanders (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5294) to enable the Secretary of Agriculture to combat and eradicate insects injurious to cotton and other agricultural products;

A bill (S. 5295) to enable the Secretary of Agriculture to continue the work of exterminating predatory animals destructive of sheep, goats, cattle, poultry, etc.;

A bill (S. 5296) for the maintenance and protection of useful farm bird reservations belonging to the Government of the United States; and

A bill (S. 5297) enabling the Secretary of Agriculture to study and control diseases of cotton and other agricultural products; to the Committee on Agriculture and Forestry.

By Mr. SMOOT:

A bill (S. 5298) to add certain lands to the Ashley National Forest, Utah, and for other purposes; to the Committee on Public Lands.

By Mr. McCUMBER:

A bill (S. 5299) granting a pension to William Shoemaker (with accompanying papers); to the Committee on Pensions.

By Mr. TAGGART:

A bill (S. 5300) granting an increase of pension to James L. Boothe (with accompanying papers); and

A bill (S. 5301) granting an increase of pension to Howard Miller (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 5302) granting an increase of pension to Chester C. Overturf; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 5303) granting a pension to Gordon Hinton; and

A bill (S. 5304) granting an increase of pension to Emily Elmer, formerly Emily Underdonk; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 5305) for the relief of Allen Hayden; to the Committee on Military Affairs.

A bill (S. 5306) granting an increase of pension to Jennings Branham (with accompanying papers); and

A bill (S. 5307) granting a pension to Mary E. Howard (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 5308) granting an increase of pension to Jasper Reeder; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5309) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 10, 1910, as amended by an act approved January 23, 1913; to the Committee on the Judiciary.

By Mr. JONES:

A bill (S. 5310) to authorize the county commissioners of Walla Walla and Franklin Counties, Wash., to construct a bridge across the Snake River between Pasco and Burbank; to the Committee on Commerce.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to increase the appropriation for all necessary expenses for the eradication of southern cattle tick from $632,400 to $732,400, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 12717), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 6918) to relieve Congress from the adjudication of private claims against the Government, which was referred to the Committee on the Judiciary.

WITHDRAWAL OF PAPERS.

On motion of Mr. LEE of Maryland it was—

Ordered, That leave be granted to withdraw from the files of the Senate the original manuscript accompanying Senate Document No. 360, Sixty-fourth Congress, first session, entitled "The military law and efficient citizen army of the Swiss."

APPLICATIONS FOR PAROLE.

Mr. OWEN. I submit a resolution and ask that it be read. The resolution calls for information which I desire to have for the use of the Senate in connection with the consideration of the parole bill which I had the honor of submitting. If there is no objection, I should like to have it considered at this time.

The resolution (S. Res. 155) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Attorney General of the United States is hereby directed to transmit to the Senate a statement showing the number of applications for parole made under the act of June 25, 1910, and as amended by the act of June 23, 1913, the number of parole applications recommended by the warden of the several penitentiaries and the number of paroles granted under this act.

PROPOSED INTERNATIONAL TRIBUNAL (S. DOC. NO. 378).

Mr. SHAFROTH. Mr. President, I have a communication here from Mr. Oscar T. Crosby relative to an amendment which I have offered to the naval appropriation bill, the amendment providing for the establishment of an international tribunal or tribunals competent to secure peaceful determinations of all international disputes. The communication consists of only three or four pages, and I ask unanimous consent that it be made a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE SERVICE.

Mr. KERN. I present the following communication and ask that it be read.

The VICE PRESIDENT. The communication will be read.

The Secretary read as follows:

UNITED STATES SENATE,
March 3, 1916.

The PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

DEAR SIR: I hereby tender my resignation as a member of the Committees on Civil Service and Retrenchment, Education and Labor, Expenditures in the Department of Commerce, and Interoceanic Canals, and ask that it be accepted.

Very respectfully,
O. W. UNDERWOOD.

The VICE PRESIDENT. Without objection, the resignation of the junior Senator from Alabama as a member of the committees named is accepted.

Mr. KERN. I move the adoption of the following order, which I send to the desk.

The VICE PRESIDENT. The order will be read.

The order was read and agreed to as follows:

Ordered, That Senator JOHNSON of Maine be, and is hereby, appointed chairman of the Committee on Pensions to fill the vacancy in said chairmanship caused by the death of Senator SHIVELY, of Indiana.

That Senator LANE, of Oregon, be appointed chairman of the Committee on Fisheries to fill the vacancy in said chairmanship occasioned by the resignation therefrom of Senator JOHNSON of Maine.

That Senator TAGGART, of Indiana, be appointed chairman of the Committee on Forest Reservations and the Protection of Game, to fill the vacancy in said chairmanship caused by the resignation therefrom of Senator LANE, of Oregon.

That Senator TAGGART be assigned to membership on the following committees, to fill vacancies therein occasioned by the death of Senator SHIVELY, viz:

Committee on Pensions,
Committee on the Census,
Committee on Corporations organized in the District of Columbia,
Committee on Pacific Railroads,
Committee on Patents,
Committee on Territories; and also on the
Committee on Interoceanic Canals, to fill the vacancy thereon occasioned by the resignation therefrom of Senator UNDERWOOD.

That Senator BROUSSARD, of Louisiana, be appointed a member of the Committee on the Library, to fill the vacancy thereon occasioned by the death of Senator SHIVELY.

That Senator PITTMAN, of Nevada, be appointed a member of the Committee on Foreign Relations, to fill the vacancy thereon occasioned by the death of Senator SHIVELY.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3984) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House, request a conference on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. McCUMBER conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4399) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. McCUMBER conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 13486. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and cer-

tain widows and dependent children of soldiers and sailors of said war; and

H. R. 13620. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

NATIONAL DEFENSE.

Mr. THOMAS. Mr. President, in view of the delay that is attending the consideration of Senate bill 4840, I desire to postpone until Friday, March 31, the notice which I gave that I would address the Senate on that bill.

The VICE PRESIDENT. The morning business is closed.

Mr. McCUMBER obtained the floor.

Mr. CHAMBERLAIN. Mr. President, may I ask a question of the chairman of the Committee on Indian Affairs?

The VICE PRESIDENT. Does the Senator from North Dakota yield for that purpose?

Mr. McCUMBER. I yield.

Mr. CHAMBERLAIN. I wish to ask the Senator from Arizona, the chairman of the Committee on Indian Affairs, as to the probable course of the appropriation bill that is now before the Senate, and whether he has any idea when it is likely to be disposed of?

Mr. ASHURST. Of course, so soon as the distinguished Senator from North Dakota finishes his speech, I intend to ask unanimous consent to proceed to the consideration of the Indian appropriation bill, and I am very certain if, say, commencing at 1 or 1.30 o'clock to-day the Senate shall give undivided attention to the bill we can conclude its consideration by 5 o'clock to-day.

Mr. CHAMBERLAIN. My reason for asking the question is that I am very anxious to call up the Army reorganization bill. I dislike to interfere with the pending appropriation bill if there is a chance to have it finished in a short time, but if the bill is not finished to-day I shall feel it my duty to ask the Senate to take up for consideration the Army reorganization bill not later than to-morrow morning.

Mr. ASHURST. I thank the Senator from Oregon. I assure him that unless Senators on our side make long speeches the bill will be finished by 5 o'clock. I hope they will refrain from doing so.

RURAL CREDITS.

Mr. McCUMBER. Mr. President, the Committee on Banking and Currency has reported a rural-credits bill. I have sometimes thought the Senator, who as chairman of the subcommittee reported the bill, felt that those who disagree with that particular measure were antagonistic to rural-credits legislation. I wish to assure him that I am as earnestly in favor of some rural-credits legislation being passed as he is, and if I do not agree with him I want him to credit me with entire good faith in the criticisms I may make of the pending bill. I am urging these objections with the hope that we may in the end secure a rural-credits law that will meet American conditions.

Mr. President, as I look over the vast number of salaried employees provided in this rural-credits bill, beginning with five members of the Federal farm-loan board, with a term of eight years and a salary of $10,000 each per year; when I contemplate the army of registrars, special land-bank appraisers, attorneys, experts, assistants, land-bank directors, presidents, vice-presidents, secretaries, land-bank officials, as many as may be deemed necessary of each class; the many officers and agents of farm-loan associations, appraisers, and so forth, all to draw salaries and all to be paid for their expenses, I am astonished that such an enormous, extravagant machine should be foisted on the public. And I wonder why the committee having at heart the real interest of the agriculturists, the decrease in the rate of interest, should provide such elaborate, expensive machinery, which must be covered by the interest charged.

I naturally ask myself why the elaborate system of banks which we now have could not be utilized so as to save the heavy expense of bank-buildings maintenance, and all of these other expenses for salaries, and so forth.

I find the answer, and the only answer, in section 3 of the bill, which provides that all such attorneys, experts, assistants, clerks, laborers, and other employees, and all registrars and appraisers shall be appointed without regard to the provisions of the act of January 16, 1883, and amendments thereto, or any rule or regulations made in pursuance thereto: *Provided*, That nothing herein shall prevent the President from placing said employees in the classified service. In other words, the President is not required in filling these positions to draw from the civil-service list, but when all have been appointed he can then blanket them all into the civil service, where they may rest securely as long as life shall last.

And so the real interest of the farmer is sacrificed that thousands of places may be made for political adherents. And yet there are those who have the audicity to say that this bill must be freed from partisanship. Why, Mr. President, it is conceived in partisanship.

As one reads over this bill one of the first questions that would challenge his consideration is, Why are there two bills in one? Why are there two entire and distinct systems of rural credits, governed by separate provisions? If both are good, why have two systems? If either is weak, why not discard the weak one, or cure its defect, make it perfect, and discard the other? The Democratic platform calls for a rural-credit law. It does not call for two laws. The truth of the matter is, Mr. President, that the committee itself must have doubts, and grave doubts, as to the utility of either one or both of these schemes, and in their desperation they provide for two systems, hoping that possibly one of them might prove a success or that the intelligence of business men might enable them to choose between the two.

Provision is first made for Federal land banks. The United States proper is to be divided into 12 districts, and no district shall contain a fractional part of a State. Within this district the Federal Farm Loan Board must establish a Federal land bank with a capital of not less than $500,000. But, Mr. President, in order to establish a land bank in one of these districts with $500,000 capital some one must be induced to raise the capital, some one must build the banking house, and some one must operate the establishment. There are few people in the world who can afford to go into a business for philanthropic purposes only. There must be a fair financial inducement; if not, the project will go begging. The ordinary business man, after reading the entire bill, after ascertaining the enormous overhead expenses to meet the demands of the army of employees appointed for political reasons and covered into the civil service, would hesitate to invest his capital in the undertaking or advise others to do so. Now, the proponents of this measure undoubtedly saw that danger, that its weakness would be apparent to the experienced business man, and they provided for it in a very simple manner. They forced the Government to go into it, loss or no loss. They reasoned out that the Government, by taxing the people generally, could raise money, and the Government, having the power to increase taxes for its support, could afford to allow its money to lie idle without interest, or could lose it entirely. And so it provided that—

> If within 90 days after the opening of said books any part of the minimum capitalization of $500,000 herein prescribed for Federal land banks shall remain unsubscribed, it shall be the duty of the Secretary of the Treasury to subscribe the balance thereof on behalf of the United States, said subscription to be subject to call in whole or in part by the board of directors of said land bank upon 30 days' notice.

In other words, if this scheme is so bad or so uncertain that it will not invite capital from the public, the Government will squeeze the capital out of the public and force it into the bank. And I will prophesy right here that every one of these banks, if any should be established, would be Government-owned banks; that the Government will be compelled to take all the stock of these banks. A great many Senators here would not support a measure where the Government merely guaranteed the farmers' paper for half the value of the farm securing it, because it smacked too much of paternalism; and yet they will turn around and support a measure where the Government itself actually goes into the banking business and furnishes the money without any interest, in an undertaking in which the capital in due time will probably be eaten up by salaries and expenses.

Of course, provision is made that if the subscription of any private individual can be secured for any of this stock, his subscription shall retire so much of the Federal subscription which is to be retired without interest.

But, Mr. President, these Federal banks must have something besides their capital to do business with. Much of the capital would necessarily be used in the construction of great banking buildings, and as there would only be 12 of these in the United States we would expect that they would be of such quality and proportion as would comport with the dignity of a Government institution. And this would make a big hole in the capital. As there would be no inducement for an average business man to deposit his funds in this kind of a bank, we must get the deposits elsewhere. So there is a provision that the Secretary of the Treasury may designate any of these banks as depositories of public money, except receipts of customs, and employ these banks as financial agents of the Government. But it is provided that the Secretary of the Treasury shall require of the Federal land banks satisfactory security, by the deposit of United States bonds or otherwise, for the safe-keeping and prompt payment of the public money deposited.

And then the same section provides:

No Government funds deposited under the provisions of this section shall be invested in mortgage loans.

I do not just understand at a glance of what use the funds would be if they were not to be invested in mortgage loans. But be that as it may, before the bank can deposit security for this deposit of money it must buy that security, and it takes money to buy the security. So it would seem to me that this deposit to be made by the Government could not be of any practical value to the bank. It would cost dollar for dollar. It would not loosen money for investment in farm loans.

Premising that this Federal land bank system, with all of its elaborate provisions, might be a failure, the committee has recommended the trial of another system which is called a joint-stock land bank. In this last system it is getting down to a more practical proposition. There are such banks operated as private concerns in the country, banks or associations that deal only in farm mortgages. Some of these, as I am informed, guarantee the farmers' paper. They loan to the farmer for 6 and 7 per cent interest and they borrow money for from 4 to 5 per cent, use it in the purchase of that farm loan, and their profit is from 1 to 2 per cent.

Now, that is in substance the proposition of my amendment to the rural credits bill, except it reduces interest to the farmer to 4½ per cent. Instead of the Government buying all of the stock, as it naturally will in these Federal land banks—instead of its paying a portion of these heavy expenses—instead of its furnishing money to be used without compensation—instead of its losing its capital in an investment—instead of all these overhead expenses my amendment provides that the Treasurer of the United States shall take the first-mortgage loans on farms, operated by farmers, and upon which farmers are living, bearing 4½ per cent, and that the Government shall secure from lenders the money to purchase these mortgages, which shall never be greater in amount than half the value of the lands, for 4 per cent, holding the mortgages as security and making a profit of one-half of 1 per cent, which will, in my opinion, pay more than its expenses if it does its business through the Federal and State banks now in existence.

It is barely possible, Mr. President, that some of these loan associations already organized, doing business in the manner I have suggested, may think there is some advantage in being organized under Federal laws or induced to incorporate under the Federal act and get the Government to go into the proposition as a partner, furnishing the greater amount of the capital without interest. This, I admit, may possibly bring into existence the joint-stock banks. But even those will be so controlled by the Government, will be so loaded down with conditions, will be so hampered by Government agents, and will have such salaries of Government employees to be met that the business, in my judgment, could not be made a success.

These joint-stock banks may be formed by any number of persons, not less than 10, and the shareholders shall be held individually responsible, equally and rateably, for all contracts, debts, and engagements of such bank to the extent of the amount of the stock owned by them in addition to the amount paid in and represented by their shares. In other words, following the rules with reference to national banks, if there is a failure, the stockholder will not only lose the money he put in but may be assessed just that much more to meet the debts of the institution.

Now, no person would take that responsibility unless the profits to be obtained would be sufficient to justify the liability. And those profits could only be met by the interest that would be paid by the farmer making the loan, and that means that he could not get cheap money.

The promoters of this legislation seem to forget that some one mush meet the vast expenses incident to the operation of these banks. They seem to forget that the only real profit that comes to these banks must come from the interest on mortgage loans. The farmer must pay it. The farmer wants a low rate of interest. And, Mr. President, a low rate of interest will not meet the demands of this complex, political, Government ridden institution.

Under the joint-stock proposition the Government of the United States can not purchase or subscribe for any of the capital stock. The joint-stock bank may be organized in some States for $250,000 and in others at $500,000, according to population.

Mr. GALLINGER. Mr. President——

Mr. McCUMBER. I yield.

Mr. GALLINGER. I have been detained from the Senate, and so have not been privileged to hear the Senator's remarks up to this point; but I note the Senator says that the farmer wants a low rate of interest. About what rate of interest would that be, may I ask the Senator?

Mr. HOLLIS. I am deeply interested in the discussion, and I wish my colleague would speak so that I can hear him.

Mr. GALLINGER. I will endeavor to do so. The Senator from North Dakota has suggested that the farmer wanted a low rate of interest. I inquired of the Senator about what rate of interest the farmer would consider a low rate.

Mr. McCUMBER. I thought, Mr. President, that the rate of 4½ per cent, as provided for in the bill which I introduced, to be charged to the farmer was certainly as low as he could possibly expect.

Mr. GALLINGER. If the Senator will permit me, I will make a suggestion as to the method that is adopted in New Hampshire. Our banks are loaning money freely to the farmers at 5 per cent on mortgages which are free from taxation. That seems with us to be a very satisfactory rate; and, so far as I know, there is no complaint whatever made as to the rate.

Mr. McCUMBER. And, in addition, I think the Senator might also state that in New Hampshire the farmer has the privilege of paying off his mortgage probably at any interest-bearing date.

Mr. GALLINGER. He has.

Mr. McCUMBER. He has the privilege of doing so at least in five years.

Mr. GALLINGER. That is true.

Mr. SHEPPARD. Mr. President, may I ask a question here?

Mr. McCUMBER. Certainly.

Mr. SHEPPARD. I want to ask the Senator from New Hampshire how long such mortgages run as a rule?

Mr. GALLINGER. I do not know as to that, but I think they are very liberal in that regard. I apprehend that there may be no specified date, but as to that possibly my colleague knows better than I do.

Mr. HOLLIS. Mr. President, I will state that practically all mortgage loans in New Hampshire made by savings banks are either on demand or for six months, but where the security is kept good they are allowed to run on indefinitely. It is well recognized in New Hampshire that when a farmer puts a mortgage on his farm, unless he is fortunate enough to sell a timber lot, it stays there until he dies, and this bill is intended to have amortized loans, so that the farmer will be encouraged to pay off his mortgage instead of allowing it to run indefinitely.

Mr. GALLINGER. That is about as I have understood it. Mortgages, however, are rarely foreclosed in our State.

Mr. SUTHERLAND. Mr. President, will the Senator from North Dakota permit me to ask him whether or not this rate of interest, 5 per cent, is confined to the farmers?

Mr. GALLINGER. Not at all.

Mr. SUTHERLAND. Can anybody borrow money at 5 per cent?

Mr. GALLINGER. Anybody can, but the banks are making very liberal loans to farmers at the present time, more liberal than they did in former years.

Mr. McCUMBER. Because of his security?

Mr. GALLINGER. Because of his security.

Mr. SUTHERLAND. But anybody with good security can borrow money in New Hampshire at 5 per cent?

Mr. GALLINGER. He can get it at 5 per cent.

Mr. McCUMBER. If we could get money on our farms all over the United States at the rate of 5 per cent, as suggested by the Senator from New Hampshire, I do not think anyone would have ever introduced a bill of this character. I do not think we could complain of the 5 per cent rate, and I am a little inclined to think that the banking system provided in this bill could not make enough profit to pay its expenses and loan money at 5 per cent. Therefore, I do not think any such banks will be established in the State of New Hampshire.

Mr. SHEPPARD. Mr. President, I wish to ask one further question. Does the Senator from New Hampshire know whether the farmer is charged commissions for making those loans?

Mr. GALLINGER. The farmer is not charged any commission whatever. The loans are made directly by the banks.

Mr. SHEPPARD. Who pays the expense of the abstract of title?

Mr. GALLINGER. We rarely ever require abstracts of title in New Hampshire. We are an old State; we were finished a good while ago, and we do not have to go through with a good deal of the process that in some other States is necessary. I think there is no charge whatever beyond the 5 per cent interest.

Mr. HOLLIS. Mr. President, will the Senator from North Dakota yield to me for a moment?

Mr. McCUMBER Certainly.

Mr. HOLLIS. I do not want any misunderstanding in regard to this matter. I have been trustee of one of our largest savings banks for a good many years. Every applicant for a loan from a savings bank has to pay for looking up the title; an attorney has to search the title and certify that it is good. The mortgagor has also to pay for drawing the papers and for recording the deed; but in New Hampshire those charges are very light; they would appear so to a westerner, at any rate.

Mr. GALLINGER. They are a mere trifle.

Mr. HOLLIS. Investigation shows that there are more or less commissions that creep in in one way and another, so that the average rate on farm loans in New Hampshire, including the commissions and the charges, is 5.3 per cent.

Mr. McCUMBER. Now, to proceed. Having provided these two systems of banks, we must in some way connect them up with the borrowers. This is done by providing farm-loan associations, both limited and unlimited—we have a double system there again—and providing that such associations shall have representation on boards of directors of the banks in proportion to the amount of unpaid principal on loans made to their members by the land banks. There are a vast number of complex provisions relating to this, the principal one of which is the bigger the debt the greater the voting power.

Section 7, relating to these national farm-loan associations, provides that the directors and all officers, except the secretary-treasurer, shall serve without compensation unless payment of salaries is approved by the Federal farm-loan board. I do not know how it is in some other States, but I know the farmers of my State can not and will not give their time without compensation. The position of officer of that association will be a thankless job, and no one will court it.

As I have stated before, this bill seems to be based upon an assumption that there is philanthropy in business. That is not the American idea, so far as I have been able to ascertain it. I know of no one in this country who is spending his time and talents solely for the benefit of some one else.

Then it is provided that the reasonable expenses of the secretary-treasurer of the loan committee, and other officers of these farm-loan associations and salary of the secretary-treasurer shall be paid from the general funds of the associations; and when no such funds are available the board of directors may levy an assessment upon members and prospective members of the association in proportion to the amount of loans granted or applied for by them, which may be repaid as soon as funds are available; or it may secure an advance from the Federal land bank of the district, to be repaid with interest at 6 per cent per annum, from dividends belonging to said association.

I want anyone who knows anything about northern agriculture, at least, to ask himself whether if he were living upon one of those farms he would be willing to obligate himself for such expenses? Would he subject himself to such assessments? And if it were possible to borrow this money from a Federal land bank—and I do not know where the Federal land bank would get it, unless it had something to sell, for even the Government deposits can not be used to purchase a mortgage—the fact that the interest on the obligation of the association is 6 per cent would mean that the farmer would have to pay at least 8 or 10 per cent in order to meet this interest and added overhead expenses.

I am very positive, Mr. President, that no farmer in a normal state of mind would tie himself up to such a proposition.

It is then provided in the same section that 10 or more natural persons, owners or to become owners of farm lands, qualified as security for a mortgage loan, may unite to form a national farm-loan association, and that loans of not more than ten thousand or less than two hundred may be made to one person. This opens up, if the bill could be operated at all, an opportunity for speculators. The number of farmers who would ever want to borrow $10,000 are quite scarce. It is not even necessary that the person making the application shall live upon the land and farm it at all. He may rent it or hire some one else to operate it. He may be a speculator pure and simple. He may be simply an owner of land or he may desire to purchase land. If he could get the Government to carry the loan in a State which is rapidly developing, he might well afford to pay the interest, buy a large tract of land, and wait for the rise in value.

Then there is another provision, very peculiar, which, in my opinion, would stop the prospective North Dakota borrower at the very threshhold of the bank. It is this:

> Any person desiring to borrow must purchase stock at par equal to 5 per cent of the face of the loan, which shall be paid off and retired upon full payment of the loan.

In other words, if a farmer wants to borrow $2,000 he must first spend a hundred dollars to entitle him to that privilege. Of course, that hundred dollars, on which he will have to pay interest to some one, may be a complete loss. The provision is that it will be returned to him when the loan is paid. But what guaranty has he that it will not be used up in the expense account of the system? He is not only not protected, but he is liable to be assessed for expenses. And even if it were repaid, he has lost the interest which he has paid on this money, and this, added to the interest which he pays upon the principal loan, may make his interest charges more than they now are.

Turning to the restrictions on loans, we find that they, of course, must be duly recorded first mortgages. Then there must be an agreement under the provisions of section 12 for the payment of a fixed number of semiannual installments, sufficient to provide for an agreed rate of interest during the term and the payment of principal on what is known as the amortization plan. In other words, the farmer borrowing must pay his interest and a portion of the principal every six months. In the northern cereal-raising States we have but one crop a year. The farmer must pay everything out of that crop. That crop is not generally harvested before November. Now, he must either retain enough money without interest to pay the installment due the next June or else he must borrow the money in the bank the next June to pay the interest and carry him over until he harvests his next crop. This will necessitate borrowing at the local bank. I think the average farmer will have enough sagacity to understand that if he pays interest semiannually he pays more than the annual rate of interest. There is not a loan made in the Northwest now that provides for semiannual interest. Practically all mortgages are so drawn that the interest payments are due from November to January.

Under the provisions of this bill every mortgage runs for at least 5 years and not more than 36 years. Can any of you Senators comprehend the state of mind of a northern farmer who would want to tie up his land in a mortgage for 36 years, or 30 years? Why, we can not even find any who are willing to make a 10-year loan, and the truth is that in most instances they are insisting upon the right, even in a 5-year loan, of paying the principal on any interest-paying date. This amortization plan, applicable in Europe, where land values are excessively high, where the purchaser of land is not supposed to be able to pay off the mortgage in less than from two to three generations, has no applicability to States where land passes from hand to hand, from man to man, almost as freely as horses and cattle. Our farmers are at least sufficiently optimistic to believe that within from 5 to 10 years they will be able to lift any mortgage. And if they are sensible they would prefer to pay a higher rate of interest and have the privilege of paying off any amount at any time they see fit than to carry principal and interest from 25 to 30 years. This right to pay off principal in whole or in part after five years is given in the bill. I mention the longer term simply to show that it will not be taken advantage of, at least in the northern sections.

Again, it is provided that the rate of interest charged for such loans shall not exceed the legal rate of interest fixed by law for national banks. The rate fixed for national banks is the rate limit fixed by the State. They can not collect usurious interest. In my State the limit would be 10 per cent. In some parts of the State farmers are able now to borrow money at 6 per cent, and it ranges all the way from that to 10 per cent in the new sections.

I understood, however, from the remark of the Senator from Texas [Mr. SHEPPARD] yesterday, in criticizing this same bill, that the rate could not exceed 5 per cent. I do not so read it, unless the provision has been amended since I read it.

Again, the farmer is limited in the purposes for which he wishes to borrow the money. He may borrow it to buy a home or a farm, or for equipment of that farm, for buildings and improvements, or to pay a debt that is already in existence.

Mr. HOLLIS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I do.

Mr. HOLLIS. I do not desire to have the Senator labor under a misapprehension. The bill provides that the farm-loan bonds shall not carry a rate higher than 5 per cent, and that the banks shall not loan at a rate to exceed 1 per cent more than the rate that the bonds carry. Therefore it will not be possible, under the committee bill, to loan to farmers at a rate exceeding 6 per cent.

Mr. McCUMBER. I am afraid, Mr. President, from my knowledge of the business in the Northwest at least, that the expenses of conducting this system would be such that it would be impossible to loan to the farmers even for 6 per cent.

Mr. HOLLIS. But the bill especially limits it. If they can not loan at 6 per cent or less, they can not loan at all, under this bill; so the farmer of North Dakota will not be injured.

Mr. McCUMBER. It could not be operated in a State at all if the expenses would be more than that.

The farmer could not borrow this money, for instance, to send his son to college. He could not borrow it to send his wife to a hospital, although his land might be clear. He could not borrow money to send a member of his family to be operated on for appendicitis by a specialist. He would have to go to the bank in such case and pay the rate of interest charged by the bank. If the loan is a safe one, and it ought not to be made unless it is safe, then it ought not to be any business of the Government what purpose the money is borrowed for.

The statement of Mr. Youmans in opposition to this rural credits bill was criticized. Here is one of the statements:

Even the most ardent champion of the legislation can not but admit that its provisions are clumsy, cumbersome, and provide an enormous amount of useless machinery to do a very simple thing.

Now, I want any Senator to read over this bill of 78 pages and then say whether this objection is well founded. The only thing to be accomplished is that the farmer be able to secure money on a mortgage bearing a low rate of interest. The means of effectuating that simple proposition, according to the views of the proponents of this bill, necessitates one of the most cumbersome, complex systems that could be conceived of, a system far more cumbersome than the entire banking system of the United States, a system that not only duplicates in number the regional banks, but provides for two distinct systems of local banks, and for the necessity of another system of farm organizations, a system which requires farm organizations and the individual farmers who wish to borrow to subscribe for stock and to become affiliated with this enormous machine, the duty and functions of which are set out with such elaborateness and detail and are so inconsistent with each other in many instances that nothing short of the courts can finally construe their meaning.

Another point made by Mr. Youmans is:

By the provisions of section 31 it is made the duty of the farm loan commissioner to make examination of the laws of every State in the United States and to inform the farm loan board as rapidly as may be whether in his judgment the laws of each State, relating to the conveying and recording of land titles and the foreclosure of mortgages or other instruments securing loans, as well as providing homestead and other exemptions and granting the power to waive such exemptions as respects first mortgages, are such as to assure to the holder thereof adequate safeguards against loss in the event of default on loans secured by such mortgages.

Pending the making of such examination in the case of any State the Federal farm loan board may declare first mortgages on farm lands situated within such State ineligible as the basis for an issue of the farm-loan bonds.

As suggested by Mr. Youmans, the first duty of the farm-loan commissioner would be to make an examination of the laws of the State. And while he is making that examination every mortgage therefrom must necessarily be ineligible. In other words, they could not be received until he makes favorable report. Why is such provision necessary? Is it conceivable that any State in the Union has not provided a system of recording securities on land and of foreclosing the same and obtaining title? Every one of these States has such provisions. Neither the Federal board nor any other Federal authority could change them or modify them in any respect. It opens up a field for excuse and delay. That is the only objection that probably can be urged to that provision, that it is absolutely useless.

Again, as I have already stated, this system is a duplication of the regional-bank system in some respects, and it might be well to know the expense of operating the Federal banking system. Mr. Youmans says:

It is plain from an examination of the bill that it is designed upon the general model of the Federal reserve act. It provides for a Federal farm-loan board of five members, four of whose salaries alone will aggregate $40,000 a year.

There are in continental United States about 8,000 national banks, members of the Federal Reserve System.

The expenses of the Federal Reserve Board alone are about $216,000 a year. The salaries of its employees amount to $108,650 per year, and the salaries of the examiners who examine the banks in the Federal Reserve System amount to $396,000 per year.

The expenses of the Federal reserve banks, of which there are 12, were last year $1,490,729. The estimated expenses of these same banks for next year are $1,611,000. These expenses include such items of salaries as governor, ranging from $30,000 a year to $7,500 a year; members of the staff, from $12,000 a year, with various head men at four, five, six, eight, and ten thousand a year.

In fact, the Federal Reserve Board admits in its report, December 31, 1915, Document No. 442, Sixty-fourth Congress, first session, that several of these banks are overorganized in their high-salaried lists.

But these expenses, great as they are, were founded on the mobilization and concentrated organization of the business of 8,000 national banks already established and existing.

There are about 20,000 State and private banks, including 1,660 loan and trust companies, scattered throughout the country.

Still, in the face of all these facts and conditions it is not proposed by the provisions of this bill to use any part of existing financial agencies, but to create an additional burdensome system for the farmers to support.

Mr. Youmans further states:

The bill seems to assume that farm-loan associations composed of "borrowers" will be promptly organized either on the limited or unlimited plan, and that by this means both a surplus and "capital" will be supplied.

Such associations can have neither income nor capital except it be supplied by the farmers. An association composed of borrowers alone can rarely supply either.

These farm-loan associations may assess the farmers for "interest, dues, and other sums," and fix the interest rate at the limit of the interest charged by national banks. This in effect would make the interest charges to the farmers higher than those afforded by established institutions.

For information as to interest rates, commissions, and other data see tables in appendix, which were submitted by Secretary Houston before the joint committee November 13, 1915.

It is thus seen that this feature of the bill, not taking into account inertia or local opposition, is practically impossible of successful working out.

These farm-loan associations are a poor attempt to follow the plan of building and loan associations, so many of which failed a few years ago on account of expenses and inability to provide capital from borrowers alone.

And finally in his statement he says:

"Instead of being a piece of genuine rural-credit legislation, the system provided is only a shadowy substance floating in a sea of finance with neither chart, compass, nor sailing orders. It is simply a head, the Federal farm loan board resting upon nothing. This head must develop its own body, temporarily using the funds of the Federal Government in the meanwhile, while it attempts to find out through the farm loan commissioner whether there are any safe landing places under the land laws of the several States. The administrative features are overweighted with officers and salaries.

"It provides that there can be no farm loans under this system until there are borrowing-farmers' loan associations, and there can be no borrowing-farmers' loan associations until there is a group of borrowing farmers who are willing to buy stock in such associations and pay the undetermined fees, costs, and expenses which may be incurred.

"These farm-loan associations may not act directly as a means of collecting the savings and available investment funds of the community and as a medium between the investor and borrower, but must, by the terms of the act, be composed of borrowers alone.

"In general, hardly a farmer in the United States could avail himself of the elaborate apparatus attempted to be created by this bill.

"The bill could be nothing else than a failure and its passage merely block the way to a straightforward rural-credit system or systems.

"The opponents of real practical legislation would point to the existence of this law and its unused provisions and solemnly assure the country that it was the result of many commissions, probably half a million dollars of expenditure, and that it was costing, even though unworked and unworkable, perhaps $500,000 a year, and yet was not being used by the farmers of the country, without stopping to explain that its provisions make such use impossible of successful accomplishment.

"These are but a few of the serious and insurmountable objections to the bill as drawn.

"An examination of the bill discloses numerous limitations and restructions upon the operation of the proposed system.

"The dangerous character of the bill is nowhere better illustrated than in the specification of the extensive and, in many cases, senseless powers of the Federal farm loan board, here briefly set out:

Mr. President, I have offered an amendment to this bill, an amendment simple and inexpensive, one that will not cost the Government a penny and will reduce interest on farm loans to 4½ per cent. If I had a million dollars' worth of first-mortgage loans maturing right along from the present time through a period of 20 years, secured on lands which can not be lost, which are as permanent as the earth itself, of the value of at least $2,000,000, I could very well afford to issue my personal bond for a million dollars or a series of bonds of from $100 to $500 each, due in 20 years, with privilege of payment within 10 years, bearing 4 per cent interest, retaining the half per cent interest for my expenses and profits. There could be no possibility of a loss on my part with such a margin. Nothing but the worst character of negligence could bring about any loss.

Now, what I could do, had I the money, can be done by the Government through the use of its instrumentalities in any amount.

The Government has 8,000 national banks. Every national bank is to-day to a certain extent a Government agency. The Government could make every State and private bank, numbering about 20,000, its agency. The Government would then have an agent bank in every little town and village throughout the United States. Every bank has its own officers. Those officers know the men and they know the character of the lands in their respective vicinities. In addition to this there are a large number of bank examiners. These bank examiners in order to know the paper, its character and value, held by any bank, must necessarily know the character of the country which must pay that paper. Now, instead of the creation of another great system of banks, suppose the Government should utilize the banks now operated in the United States and all of their officers and all of these agents. Beginning at the bottom of the procedure: A farmer who would need to borrow a thousand dollars would go to the nearest bank just as he does to-day.

He would make a written application for a thousand-dollar loan, answer about 40 questions which would elicit not only the character and value of his land but its certainty of paying interest and principal of the loan—such a number of acres under cultivation, his family, the number of boys who could do work, and many other questions that would all point toward his ability to make good his payments.

This application would bear the appraisement of two of his neighbors, sworn to. This would be presented to the cashier or president of the bank. He knows the man, he knows the land, and he is also required to pass his judgment on the value and character and safety of this loan. The farmer then draws up his mortgage and accompanies it with an abstract showing the title and showing that it is clear. The banker examines this, passes judgment on it, and receives a small fee for his services. He is the agent of the Government, and is held responsible by the Government for good faith. He sends this mortgage, abstract, and application, with his approval, to the bureau of farm credits in Washington. The papers are examined; they are found to be correct, and the Government advances the money for that loan. At the same time there are a thousand other loans coming in from other sections, and he has enough loans maturing at different times, or will mature as new ones are made each year; and the Government then issues its bond in amounts of from one hundred to five hundred dollars in an amount equal to the mortgages. The mortgages bear 4½ per cent and the bonds 4 per cent. The bonds will run for 20 years. There will be such a demand immediately for these bonds that even premiums will be offered. The money received would pay for the mortgages. The Government would be out nothing. It would simply guarantee, in effect, the mortgages. It would occupy the position of a factor who guarantees the payment of the mortgages. And so this could be continued just as long as there would be purchasers for the bonds. It might amount to even billions, but it would not be the Government money which would be invested. There would be no army of employees to be paid. The system would not be a political system any more than the national banks are now political organizations. There would be no conflict with the local banks. Every farmer doing business with that bank would become the bank's customer. The bank would be paid for its services. It could well afford to act as the agent of the Government and for the convenience of the farmer in the collection of the coupons. If the farmer desired to be carried over for any reason, the bank, knowing the security, would advance him the money to carry him over. If there was a failure of crops one year, the local bank would be glad to assist in carrying the burden of the interest for another year. If the farmer should not have his crop harvested at the time the interest becomes due, the bank would accommodate him. The bank might lose a very little in the interest it is now receiving from farm loans, but it would more than make it up. The smaller the amount the farmer has to send out of the country to pay his interest the greater amount he will have to spend in his own community. This amount saved will be invested and that investment will require business with the bank again.

If you wish to know how the farmer can proceed to make a loan through the system proposed by the committee, all you have to do is to read these 78 pages forward and then backward, and then begin to pick out the sections that would seem to indicate his course of procedure. You will find that before the farmer can make a loan he must wait until at least nine other of his neighbors wish to do the same thing and at the same time. Then he must wait until the spirit of organization begins to move. This is generally a slow-moving process in agricultural communities. But when the fever has progressed to a particular stage and farmers begin to talk over the benefits to be derived by organizing a borrowing society they may possibly take hold of the project. And they may within a year or so crystallize these 10 or 20 or 100 borrowers into an association. That is the first step.

The next step will be to get some kindly disposed gentleman to start a $500,000 bank somewhere in their State or some other State, possibly four or five hundred miles distant from this organization. Of course, they will have to assure this man that he will not be expected to put any real money into the project, just simply start the project going, and the Government will then be compelled, under the provisions of the law, to subscribe for the stock.

After that is done and after all of the vast machinery is set into place, after all the officers have been appointed and their salaries fixed, the next thing will be a request to the farmer who wants to borrow money for a deposit of 5 per cent of the amount of money he wishes to borrow. He must become a lender before he becomes a borrower. He probably has not thought of that before. But with patience he goes to a bank and informs the cashier that he wishes to borrow money from the bank to deposit with another association so that he may borrow from it. The banker may or may not lend the money to assist in losing his customer. The chances are, I think, that the bank would dispose of the question before the farmer ever got away. But if the banker does loan it, he may be satisfied with a straight note or chattel security, or he may demand a mortgage on the farm to secure the money advanced. Having straightened this matter out and deposited the money, then the real business of securing a loan has just begun. The first step has been taken. Now come along the experts, the appraisers, the abstractors, the examiners, the special legal advisers, assistants, and special agents who start him along the pathway of dubious and uncertain complexity until he arrives at the doorway of the real land-bank which may be, as I have suggested, in his own State or in some other State hundreds of miles distant.

I should be pleased to follow him in all of the devious ways he must travel before he secures the money on his proffered mortgage. But, Mr. President, the other business of this session will not permit me to take the time to properly explain each step which must be taken by him before he finally reaches the inner temple, only to find that the capital stock has been used to build an elegant bank building and pay expenses, and the few dollars which were left have already been expended, and the deposits made by the Government under the provisions of the bill can not be invested in mortgage loans. If he is early on the ground, one of the very first, he may find some money in the bank.

But now the question of what interest his loan shall bear must be decided upon. Just how it is to be decided upon before the whole system is in working order and its expenses ascertainable I am unable to say. I assume that the interest must be fixed upon a self-sustaining basis; that while it can not be higher than the State laws would allow, which would be 10 per cent in my State, it must be sufficient to take care of all the expenses. And if it is run upon a self-sustaining basis, even without profit, I believe that the interest would be very much higher than the farmers now generally pay upon first mortgages on real estate.

Mr. President, we have spent enormous sums of money in investigating the rural-credits system of Europe. I think that investment is worse than thrown away, because it has influenced the proponents of rural-credits legislation. It has impressed Old World systems, not at all applicable to conditions in the United States, upon this proposed legislation. I am certain that it would have been much better if we had initiated in this country a system adapted to American conditions and, with our knowledge of those conditions perfected, our legislation without reference to foreign customs. This whole amortization plan is European, not American.

The extremely high price of land in Europe, with its dense population, is such that no purchaser, if he had not already accumulated the means from other sources, could buy that land in a lifetime and pay for it from its earnings. It would be several generations before it would be paid for. The original purchaser would simply transmit to his heirs such equity as he might have, with the purchase price possibly reduced a little. No such condition exists in this country. The American farmer is always optimistic. He expects always to pay for the land with a few crops. He can buy his land on the crop-payment plan in the North. If he has a big crop, he can pay off considerable in a single year. If he has a failure, the matter runs over until the next year. He has not the same sentiment, the same regard, for landed estates that the foreigner has in his country. He will sell his farm as freely as he would sell his stock if he thinks it profitable to do so. He differs from the European farmer in many respects. He is either by nature or custom entirely independent of all his neighbors. He does not live in communities as in Europe. He goes about his own business and has no inclination to attend to the business of others. He is averse to any kind of liability other than his own. He does not like to sign the notes of his neighbors. He does not want to become responsible for the debt of the farmers adjoining him, much less for the debts of farmers in other counties or States. He is opposed to long-term mortgages. Being hopeful and energetic, he wants to pay off his debt whenever he can and in whatever installments he and his creditor may agree upon.

But there is another and greater difference. The American farmer does not want any red-tape business connected with his proceedings. When he wants money he wants it right away. When he wants to pay it, he wants to be at liberty to do so without long delay and secure his release. He regards his time as worth something and is impatient at delays. He would rather pay a higher rate of interest than to be put to too much trouble in securing his loan.

In the amendment which I propose to the farm-credits bill I have answered the demand for simplicity and cheap money. I can see no reason on earth why it is necessary to provide for another distinct or two more distinct banking systems. I do not know why on earth it is necessary to add an enormous expense for the building of new bank structures and for an army of officials. We have our national banks; we have our State banks. They are already constructed, officered, and doing business. They are convenient to every farm in the country. Why not utilize that system and that agency and avoid all this great expense?

My substitute requires no new, complex, and untried system. It is based on the theory that there is any quantity of money in this country ready and eager for investment at 4 per cent on long-time securities free from taxation and of unquestioned safety; that a Government debenture bearing 4 per cent interest will find its purchaser as rapidly as it is offered; that if the Government is proffered a million dollars of farm mortgages bearing 4½ per cent interest, secured on land worth fully $2,000,000, and which farm mortgages mature and others take their places during all of that period of 20 years, the Government can with absolute safety issue its debentures in multiples of $100 for the face of these mortgages, holding the securities, applying the interest received from the mortgages upon the interest due upon the debentures; and that the difference of a half of 1 per cent between the interest on the mortgage and the interest on the debenture will fully compensate the Government for its trouble. The Government, in fact, will not be furnishing the money. In practice the Government will occupy the position of a factor who guarantees the interest on the mortgage which he sells, and nothing more.

Now, under the simple method which I propose every national bank will at once be made the agency of the Government for receiving and transmitting the farmers' mortgages, collecting and disbursing payments. Every State bank which will avail itself of the opportunity can also become such agency, and such State bank, without question, would become such agency. It would be compelled to do so in order to hold its customers.

Now, what will the farmer do if he wants a loan? He will not have to borrow 5 per cent of his proposed loan to deposit before he can secure his loan. He will not have to join any society. He will not be compelled to be stockholder in any kind of a concern. He will not be compelled to submit himself to the responsibility of taking care of the debts of other farmers. He will do just what he has to do to-day—sign an application answering, say, 40 questions, or whatever may be necessary to fully explain his situation, character of land and its condition, and ability to take care of interest and principal. He will have two of his neighbors verify his statement and give their appraisal of the cash or selling value of the land. He will then go to the bank with which he is accustomed to deal. This bank will see to the drafting of the mortgage, the examination of an abstract, and, as an agent of the Government, will also place its appraisement upon the value of the security. This bank, if the farmer is borrowing $500, will charge him $5. Not a big fee; but the bank will have this man as its customer, and will undoubtedly have enough other business with him to compensate it if this charge seems not sufficient. In nine cases out of ten if the farmer needs the money right away the bank would advance it for him the very day that he comes in.

This bank would then forward the securities, with the abstract of title, to the bureau of farm credits. That bureau would examine the abstract and the mortgage and send its draft to the bank. As soon as it had collected a sufficient number of these mortgages, this bureau would issue debentures and sell them to pay for these and to purchase other mortgages. The moment this law would become effective the bank examiners would be required, in addition to their present duties, to report the general values and character of lands within their respective districts. They would not have to go into the country and make appraisals for this purpose. No examiner can properly pass his judgment upon the paper of any bank in any State unless he knows in a general way the value and character of the lands within that section, and his knowledge can be utilized by the Government.

This is practically all there would be to the system I have mentioned. It has been suggested that there might be cases of overvaluation of lands. Well, there could not be unless there was gross negligence. One of the questions, of course, in the application would be, What is the land assessed at? That of itself would be some evidence of its value. It will be so fully and completely described and the means by which the farmer makes his livelihood would be so fully set forth that no one would be deceived unless through his own inexcusible negligence. It certainly affords greater protection in that respect than the bill reported. The banker, being the agent of the Government, is held responsible for any loss that would grow out of his negligence, and if he declared land, which he knew to be worth only $4,000, to be $8,000, and the Government should suffer any loss, he would be held responsible.

But there is another reason why the bank would not overestimate the value. There would be many times in the farmer's life when he would have to borrow an additional sum over the first mortgage on his land. The banker doing business with him and who will furnish that money will be interested that there is a good margin of value in the land over the first mortgage.

There has been some criticism of my bill, that it is paternalistic, that the Government is lending the money. Now, as a matter of fact, that criticism is not good. The Government is simply by its action bringing the farmer who wishes to borrow money into direct communication with the widow or the estate which wishes to lend money and eliminates the intermediary. Your bill reported by the committee is, on the other hand, purely paternalistic. It compels the Government to go into this banking business. It has assumed that no one will subscribe to the stock of these banks except the farmer, who is compelled to subscribe an amount equal to 5 per cent of his loan in order to borrow, and that the Government will subscribe for practically all of the stock. That puts the Government directly into the banking business for the assumed benefit of just one class of its citizens. The Government pays some of the expenses, and if the thing is a failure from the outset the Government, of course, will have to suffer the losses.

Nor, Mr. President, is the scheme I propose in any sense as paternalistic as has been the custom of the Treasury Department for years. Whenever speculation gets so rife in the great cities that there is bound to be a time when inflated values will burst the great financiers call upon the Government to empty its Treasury into the banks of the great cities that they may be able to protect themselves and for the very purpose of keeping down the rate of interest. And when matters become normal the money is returned to the Treasury.

So, too, I can find a stronger precedent in paternalistic action in the fact that the Government is now engaged in building a railroad in Alaska that will cost at least $45,000,000. We will find it again in the case of the Government guaranteeing the bonds of railroads in the Philippine Islands. If the Government can consistently guarantee railroad bonds, why not farm mortgages?

If the Government can do all of these things for the benefit of special lines of business, it certainly ought not to hesitate to issue a debenture upon farm mortgages secured by farm lands at least double the value of the security. The Government can far better do this because the land can not be destroyed. The land can not fail in business. The land can not lose its capitalization. The land will continually grow in value as the Nation grows in population.

Here, then, we have two propositions, one complex, top-heavy, expensive, and unworkable, in my opinion; the other simple, inexpensive, and which, without any possible question, will bring the results desired—cheaper rates of interest for the farmer and a sure income to the lender.

Why should we even hesitate between a simple, inexpensive, certainty and a complex, expensive uncertainty?

Mr. President, my judgment as to the inefficiency and lack of adaptability of this proposed legislation to the agricultural conditions of this country is fortified by the judgment of the farmer organizations of my own State and evidenced by petitions against its enactment from all over that State. I introduced five such petitions this morning.

But it was intimated on this floor a few days ago that as the provisions of this bill are not compulsory it could not injure anyone. That is not a pertinent answer to our criticisms. The people do want a good, workable, beneficial rural credits bill. They know if we provide one that will not be a success it will sound the death knell of any other rural credits legislation for years to come. They therefore know that improper or inefficient legislation is far worse than no legislation, and they ask that no rural credits legislation shall be enacted at this session. They ask this because they believe it would be impossible, with the other work to be done during the session, to bring forward and to get adequate consideration for any other system.

The Senator from Texas has introduced a rural credits bill patterned after the German landschaft system. He explained the provisions of that bill and showed that it was far more simple and far less expensive than the committee bill. While my judgment is that the bill proposed by the Senator from Texas is an improvement over the committee bill, I still hold to my conviction that any system based upon foreign conditions

will not meet American conditions. No one questions the success of the landschaft system in Germany, but Germany is not the United States. The Senator quoted in support of his bill the comment of Mr. Wallenborg, as follows:

I have read the text of the bill. I am unable to give an opinion on matters of detail and points of procedure, as I am unacquainted with local conditions and with the psychology of the farming population to whom the measure is to apply.

Mr. President, it is just these local conditions and the psychology of our farming population which raised a suspicion in the mind of Mr. Wallenborg that we must take account of in any rural credits bill. And it is to those things that both the committee and the Senator from Texas have, in my judgment, failed to give proper weight. Local conditions are not the same in this country as in Germany. The psychology of the farming people of the United States and Germany is not similar, as I have heretofore pointed out.

In a rapidly developing country the farmers do not want their land tied up for 50 or 75 years in any kind of a system. When the American farmer wants to borrow he wants the money right away, and he wants to pay it when he can, according to his crop returns, and thereupon be released. He does not want his progress to be either stayed or accelerated by what his neighbor may do or fail to do.

The Senator from Texas yesterday stated that the system of collecting from the landschaft was similar to that in vogue in drainage districts in this country. Now, I do not believe there is a farmer in my State who would want to apply the district drainage system to the payment of the mortgage on his own land or that of his neighbors in that district. I do not believe he would want to combine his land with others to pay off his indebtedness through many years under any amortization plan. He wants to be independent of his neighbor in every respect.

And I can but repeat, Mr. President, that I regret exceedingly that in this work of providing an American rural credits bill we should have inadvertently led our minds astray by attempting to plant a European system in American soil. It would have been far better to have studied the present American system of loans, the demands and the characteristics of the American farmers, and evolved a purely American rural credits bill.

Mr. President, I ask that the bill which I have introduced on this subject, and which is extremely short, may be printed, to follow my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill referred to is as follows:

A bill (S. 831) to facilitate farm credits and decrease interest charges on farm securities.

Be it enacted, etc., That there is hereby created in the Treasury Department a bureau to be known as the bureau of farm credits. Said bureau shall be presided over by an officer who shall be designated commissioner of farm credits. The Secretary of the Treasury shall provide for sufficient clerical force to perform the duties of said bureau.

SEC. 2. That there is hereby appropriated and set aside for the use of said bureau, in the manner hereinafter provided, the sum of $10,000,000, or so much thereof as may be necessary.

SEC. 3. That the said sum so provided shall be used for the purpose of purchasing notes secured by first mortgages on agricultural lands, as hereinafter provided, for stationery and clerical expenses, and such other expenses as may be incident to the business of said bureau.

SEC. 4. That every National bank and every State bank desiring to avail itself of the privileges herein provided are hereby created and declared to be agencies of the Treasury Department for the purpose of receiving from mortgagors notes and mortgages securing same, advancing the moneys to the said mortgagors and transmitting said notes and mortgages to the bureau of farm credits, and receiving in return therefor the amount advanced to the mortgagor by the said bureau.

SEC. 5. That it shall be the duty of the Secretary of the Treasury to apportion the sum hereby appropriated among the several States according to the agricultural population, importance of the agricultural productions of each State, and percentage of agricultural lands incumbered by mortgages or trust deeds, and to pay for such notes and mortgages as may be presented to the extent of the amount apportioned to any State.

SEC. 6. That any owner of agricultural lands within the United States who is living upon and farming such lands desiring a loan under the provisions of this act shall execute a promissory note due in 10 years, bearing interest at the rate of 4½ per cent per annum, interest payable annually, which interest shall be evidenced by 10 coupon notes attached to said principal note, and which coupons shall also bear interest at the rate of 5 per cent per annum from the date of maturity until paid, payable annually. Said note shall also provide that the principal may be paid on any interest-paying day after the expiration of five years. Said note shall be secured by a first mortgage upon the lands so farmed by the owner and executed and recorded in the manner provided by the laws of the State in which the land is situated for the execution and recording of mortgages on real estate. Such mortgage shall be accompanied by an application for loan, which application shall recite the purpose for which the loan is desired, the market value of the land, the value at which it was last assessed for taxation, the value and kind of buildings thereon, the number of acres under cultivation, the character and quality of the soil, the number of acres capable of being cultivated, and such other information as may be required by the rules of the said bureau. Said application shall have attached thereto or made as a part thereof an affidavit signed by the owner and at least two neighbors who are thoroughly acquainted with land values in the vicinity, stating the market value of such lands and the market value of the particular lands to be mortgaged. Said note, mortgage, and application shall also be accompanied by an abstract of title duly certified by an abstract company, the register of deeds, or other officer authorized by the laws of the State to make and certify abstracts of lands, which abstract shall show no other mortgages, judgments, delinquent taxes, or other liens of any character against the said lands, unless the purpose of the loan is to secure money to cancel such liens. Said owner shall then present to any National bank or State bank accepting the provisions of this act the said loan papers. The said abstract and papers shall be carefully examined by the president, cashier, or other officer of the bank for the purpose of ascertaining whether the title is perfect in the mortgagor, whether the land is affected by any liens, who shall certify the result of his examination of the abstract, and who shall further certify what, in his opinion and judgment, is the actual cash selling price of the land. And no mortgage shall be accepted for a greater amount than one-half of the value of such lands, including improvements; nor in any event to an amount exceeding one-half of the actual market value thereof. The said bank may charge the borrower for its services in examining papers and abstract and in forwarding the papers to the bureau of farm credits a sum not exceeding 1 per cent of the amount of the mortgage. No mortgage shall be less than $300 nor more than $10,000 to one person or company, and shall be in multiples of $100. The said notes and mortgages shall not be dated at the time they are executed and presented to the bank. The said bank shall forward all the said papers to the said bureau of farm credits, which bureau shall examine the abstract, note, mortgage, and application, and if said abstract shows the land to be clear or to have no liens of greater amount than the amount desired to be loaned, and all papers properly executed, it shall remit to the bank forwarding the papers the amount of the loan and shall date the notes and mortgage the date on which the remittance is made, from which date interest shall begin to accrue; and all coupons shall be dated to correspond with the date affixed to the principal instrument; and said bureau shall return, with the remittance, the abstract of title. Upon receipt of the said abstract of title by the bank, said bank shall require the abstract to be continued up to date of payment by said bank to the borrower, and if said abstract after being continued shows the land clear the bank shall indorse over to the borrower the remittance made by the bureau of farm credits. If there are any liens upon the land, the bank, out of the remittance, shall first pay and have canceled such liens and pay the balance to the borrower. The bank shall be held responsible for any negligence in the performance of its duties as agent of said bureau. The principal and all interest coupons shall be payable at the bank where and through which the loan is negotiated and remitted by said bank to said bureau.

SEC. 6. That whenever the bureau of farm credits shall have received such mortgages to the extent of $1,000,000 it shall issue bonds in the name of the United States, payable in 20 years and bearing 4 per cent interest, payable annually, with the privilege and option of the said bureau to pay the principal at the expiration of 10 years. Said bonds shall be issued in denominations from $100 to $500 each, and the said commissioner of farm credits shall sell the said bonds for the face value thereof to any person applying therefor, preference being given to those desiring small investments. Said bonds shall not be subject to taxation by the United States, a State, or municipality. All moneys received by the said commissioner in the sale of bonds and the principal and all interest paid on said mortgages shall be covered into the said fund of $10,000,000 and used in the payment of mortgages as they may be presented, the expenses of the bureau, the interest on bonds, and payment thereof at maturity.

SEC. 7. That all mortgages shall run to the commissioner of farm credits, and said commissioner shall have all the rights and authority of a mortgagee under the laws of the State wherein such mortgage is executed.

SEC. 8. That all taxes of every kind levied by a State or municipality which may become a lien prior to said mortgage shall be paid by the mortgagor at least 30 days prior to the time such lands could be sold for delinquent taxes. Upon his failure to do so, or to pay any other lien that may attach to said lands and become superior to said mortgage, the commissioner may pay the same and the mortgage shall stand as security for such sums so paid and interest thereon at 8 per cent per annum. And said mortgage shall further provide that in default of the payment of any interest or the payment of taxes, or other superior liens, as aforesaid, the commissioner may foreclose the premises pursuant to the laws of the State in which the land is situated. All papers necessary for the foreclosure proceedings shall be prepared and premises foreclosed by the proper law officer of the bureau. In lieu of foreclosure the commissioner may sell the mortgage to any person desiring to purchase the same, without recourse, and the money so received shall be covered into said fund. Upon foreclosure, the said commissioner may transfer and assign the certificate of sale to any purchaser, and after the period of redemption has expired, may sell the lands. And any sum received therefor shall in like manner be covered into said fund.

SEC. 9. That it is the purpose of this act not only to secure and facilitate borrowing upon agriculturel lands at a reasonable rate of interest, but also to afford a means for those who desire a safe investment, and so long as the said bureau shall be able to dispose of bonds at par it shall accept mortgages presented to any extent above the $10,000,000 hereby appropriated.

SEC. 10. That said bonds shall be negotiable in form, and transferable by indorsement, and may be bought and sold by Federal reserve banks under the provisions of sections 13 and 14 of the Federal reserve act, approved December 23, 1913, and may also be received as collateral for the issue of Federal reserve notes under the provisions of section 16 of said act.

SEC. 11. That the word "mortgage" shall be construed to include deeds of trust or any other instruments of security on agricultural lands.

SEC. 12. That the Secretary of the Treasury shall make all needful rules and regulations to carry out the provisions of this act.

SEC. 13. That this act shall take effect from and after its passage and approval.

Mr. HOLLIS. Mr. President, the subject of rural credits applied in the one phase of land mortgage credits is very large; it covers a very wide field, and I shall not attempt to discuss it to any extent to-day. I wish to say, however, following the remarks of the distinguished Senator from North Dakota [Mr. MCCUMBER] that I have had the honor of serving with four different committees—subcommittees, joint committees, and committees of the Senate—on the subject of rural credits in the last two and a half years. The bill that the Committee on Banking

and Currency has reported is the result of the labors of those committees.

I wish the subject were so simple and so easily disposed of as the distinguished Senator from North Dakota seems to think it is; but my mind goes back to some years ago, when the Republican Party was in control of the Government; and if the problem had been as simple as the Senator thinks it is, that party would have doubtless extended to the farmers the relief which the Senator now advocates.

The measure which has been reported by the joint committee to the Senate and to the other House and by the Senate Banking and Currency Committee to the Senate is the result of an investigation of all existing systems; and at the proper time I think I shall be able to satisfactorily explain to the Senate in detail every provision of that bill.

Before I take my seat I desire to say that the address we listened to yesterday made by the Senator from Texas [Mr. SHEPPARD] and the address we have listened to to-day from the Senator from North Dakota [Mr. MCCUMBER] show the diversity of views that may be entertained on this subject. The Senator from Texas would have us adopt the German landschaft system in its entirety; the Senator from North Dakota would have the Government make direct loans to the farmers. Those two addresses represent the two opposite sides of the question, and I think I shall be able to show that the bill recommended by the Senate committee represents the medial road between those two extremes and represents the true American system.

FEDERAL JUDGES.

Mr. SMITH of Georgia. Mr. President, a few days ago, when Senate bill 706 was before the Senate, the Senator from Utah [Mr. SUTHERLAND] put in the RECORD the report of the minority of the House committee. I wish to make a brief reply to that report, and I will be glad to do so this morning; but if it will necessitate a call for a quorum, I would rather yield at once to the Indian appropriation bill. I shall only ask to take up Senate bill 706 to present a brief reply, and then I shall not desire to keep the bill longer before the Senate at this time. I now ask that Senate bill 706 be laid before the Senate.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Chair lays before the Senate a bill the title of which will be stated.

The SECRETARY. A bill (S. 706) to amend section 260 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. SMITH of Georgia. Mr. President, I desire to reply briefly to the minority report of a member of the House Judiciary Committee, which was read in the Senate at the request of the Senator from Utah.

The House minority report is based principally upon the contention that this bill is "an attempt to evade, if not a direct violation, of the Constitution of the United States."

The House minority report urges that the provision in the bill which allows the old judges to be assigned to special work and places the responsibility upon the new judges to perform the burden of the work deprives the old judges of their offices.

It, in effect, claims that the performance of all the duties of a circuit or district judge is essential to a continuation in the office of a circuit or district court judge.

It also asserts that the "good behavior" referred to in the Constitution means "good moral conduct," and followed to its logical consequence means that a judge, no matter how old and how inefficient, mentally or physically, if his moral conduct is still good, can not be relieved by Congress from any of the duties pertaining to the office.

If this position were sound, the Constitution has authorized Congress "from time to time" to ordain and establish inferior courts and has left no power vested in Congress to provide for the efficient administration of the business of the courts.

When a district is created and provision made for the appointment of a judge for the district, it is reasonable to suppose that the judicial work of the district is sufficient to occupy the time of a man, able mentally and physically.

The argument of the minority report leads to the conclusion that this judge must be left in charge of all the business of a district, or, at least, authorized to interfere with all the business, although he has ceased to possess the mental and physical capacity to do the work, it only being necessary that his moral conduct should be good.

Such a construction of the Constitution would defeat the due administration of justice.

The minority report in the House refers to the case of Martin against Hunter (1 Wheat., p. 328). In the same decision Justice Story uses the following language:

The judicial power of the United States shall be vested (not may be vested) in one Supreme Court and in such inferor courts as Congress may from time to time ordain and establish. Could Congress have lawfully refused to create a Supreme Court or vest in it the constitutional authority? * * * The judicial power must, therefore, be vested in some court by Congress, and to suppose that it was not an obligation binding upon them but might at their pleasure be kept or declined, is to suppose that under the sanction of the Constitution they might defeat the Constitution itself. * * * They might establish one or more inferior courts. They might parcel out the jurisdiction among such courts from time to time at their own pleasure, but the whole judicial power of the United States should be at all times vested in either original or appellate form in some courts created under its authority.

Inferior courts, by the terms of the Constitution, are to be ordained and established from time to time as Congress may see fit. The Constitution does not say they are to be ordained and established and stop there, but the words "from time to time" are used, that the power and duty to change after they are ordained and established may clearly be preserved to Congress.

Congress speaking for the people fixes the jurisdiction of the courts, changes the courts, abolishes them if it sees fit, classifies the work in the court if it sees fit. Indeed, it has unlimited authority with reference to the jurisdiction of the courts and the work of the judges, except that a judge is to hold his office during "good behavior."

This bill in no sense takes the office of judge away from an older judge, but it requires that when an old judge ceases to be able to efficiently administer the business of the court, a new judge shall be appointed.

If it is the constitutional duty of Congress to provide courts in which the judicial responsibilities of the Government are to be enforced, it follows as a necessary consequence that the duty rests upon Congress to see that those courts are open for the trial of causes, civil and criminal, and that opportunity through them is given for the efficient administration of the business required to be performed in the courts.

If the work requires an additional judge Congress should provide for his appointment, and it follows necessarily that the power is in Congress to distribute the work between the judges.

This bill provides that where a judge of a circuit or district court has passed 70 and is entitled to retire on full pay but fails to do so there shall be an additional judge appointed where required to give efficiency to the administration of the business of the court.

The bill then provides for the distribution of the work between the two judges.

It places the burden of the work on the new judge and leaves the old judge to do such work as may be specially assigned to him, and for which his age, ability, and strength fit him.

As there are to be two judges in a single district, provision for the distribution of the work between them is essential. Otherwise, conflicts between the judges would be inevitable.

The Constitution does not say that a judge after appointment must retain all the work of the office, or that Congress can not classify the work between two judges. It only provides that the old judge shall retain office. The entire control of the subject, barring the right of the judge to hold office during good behavior, is with Congress.

The only limitation on the power of Congress is the provision which gives the judge a life position if his behavior is good.

Legislation by Congress exercising the fullest power of providing additional judges and providing for the classification of their work, has heretofore been passed in a number of instances.

Special acts have been passed, due in each instance to the age or the infirmity of a judge, by which provision has been made for the appointment of a second judge for the same court. These acts have provided further that the presiding judge of the circuit court of appeals may distribute the work.

The Judicial Code contains a provision that wherever two judges have been appointed in the same district the chief judge of the circuit court of appeals of the circuit can assign work to each if they do not agree with reference to a division.

Congress not only has asserted the power to distribute the work between two judges in a district but it has authorized the power of distribution to be exercised by a judge of the circuit court of appeals.

Before the creation of the circuit court of appeals, circuit court judges did nisi prius work and had nisi prius jurisdiction throughout their circuits. This jurisdiction was largely taken from them, and they were left only to serve in nisi prius when specially designated by the Chief Justice of the Supreme Court.

Congress established the Court of Commerce, and provided a certain number of judges of the circuit court of appeals to sit upon this court.

Afterwards it abolished the Court of Commerce and left these judges afloat to do only such work as might be assigned to them by the Chief Justice.

Judges who formerly presided over the Commerce Court are now judges assigned to no circuit court of appeals. They are

judges afloat. They do only work when specially assigned to it. Do they still hold their offices?

When one of them is assigned by the Chief Justice to preside in any circuit or to hold a nisi prius court, is he not still a judge of the circuit court of appeals?

The question answers itself.

After the bill now before the Senate passes and one of the older circuit court judges or district court judges is assigned to a special piece of work, either by the presiding judge of the circuit court of appeals or by the Chief Justice of the Supreme Court of the United States, does anyone question that under this legislation he could perform the duties to which he was assigned?

If this is true, then he still retains the office which he now holds, and this legislation does not take from him his office, and clearly, therefore, it does not violate the provision of the Constitution which guarantees a judge to hold office during good behavior.

Once more I call attention to the fact that this legislation was recommended by Mr. Attorney General McReynolds, and also recommended twice by Mr. Attorney General Gregory. We have, therefore, the opinion of the Department of Justice, three times given, that this law is constitutional; that the legal position taken by the minority report of the House is unsound and that legislation is necessary to prevent the administration of justice from suffering as a consequence of judges remaining upon the bench long beyond the time when they are capable of adequately discharging their duties.

INDIAN APPROPRIATIONS.

Mr. ASHURST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the Indian appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10385) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1917.

Mr. SMOOT. Mr. President, there are only about half a dozen Senators in the Chamber, and perhaps many Senators do not know that the Indian appropriation bill is up. For that reason I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones	Page	Stone
Borah	Kenyon	Pittman	Sutherland
Brandegee	Kern	Poindexter	Swanson
Catron	Lane	Pomerene	Thomas
Chamberlain	Lippitt	Saulsbury	Thompson
Chilton	Martin, Va.	Shafroth	Townsend
Clapp	Martine, N. J.	Sheppard	Underwood
Cummins	Myers	Sherman	Vardaman
Curtis	Nelson	Shields	Wadsworth
Hardwick	Norris	Simmons	Walsh
Hitchcock	Oliver	Smith, Ga.	Warren
Hollis	Overman	Smoot	Williams
Husting	Owen	Sterling	

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Florida [Mr. FLETCHER], who is unavoidably detained because of official business. He is paired with the junior Senator from Idaho [Mr. BRADY].

I also desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. JAMES]. He is absent from the city.

Mr. CHILTON. I wish to announce the absence of my colleague [Mr. GOFF], on account of illness.

Mr. STONE. I announce the absence of my colleague [Mr. REED], who has been called from the city on important business. I wish to have this announcement stand for the day.

Mr. CATRON. I wish to announce the unavoidable absence of my colleague [Mr. FALL], who probably will be absent for several days.

The PRESIDING OFFICER. Fifty-one Senators have responded to the roll call. A quorum is present.

Mr. ASHURST. I ask that the Secretary resume the reading of the bill.

The reading of the bill was resumed, at line 21, on page 71.

The next amendment of the Committee on Indian Affairs was, on page 72, after line 12, to insert:

The sum of $275,000, to be expended in the discretion of the Secretary of the Interior, under rules and regulations to be prescribed by him, in aid of the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, during the fiscal year ending June 30, 1917: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of this act limiting the expenditure of money to educate children of less than one-fourth Indian blood.

The amendment was agreed to.

The next amendment was, on page 72, after line 22, to insert:

The authority contained in the act of March 3, 1911 (36 Stats. L., pp. 1058–1070), for the use of the interest accruing on funds of the Five Civilized Tribes on deposit in banks to defray expenses of per capita payments to the Indians of the proceeds of the sale of their surplus unallotted land, shall be deemed sufficient to include salaries and wages of any employees actually and necessarily engaged in the work of making such per capita payments.

The amendment was agreed to.

The next amendment was, on page 74, line 20, after the word "prescribe," to insert "*And provided further*, That the Secretary of the Interior is hereby empowered, during the fiscal year ending June 30, 1917, to expend funds of the Chickasaw, Choctaw, Creek, and Seminole Nations available for school purposes under existing law for such repairs, improvements, or new buildings as he may deem essential for the proper conduct of the several schools of said tribes," so as to make the clause read:

That the Secretary of the Interior be, and he is hereby, authorized to use not exceeding $35,000 of the proceeds of sales of unallotted lands and other tribal property belonging to any of the Five Civilized Tribes for payment of salaries of employees and other expenses of advertising and sale in connection with the further sales of such tribal lands and property, including the advertising and sale of the land within the segregated coal and asphalt area of the Choctaw and Chickasaw Nations, or of the surface thereof as provided for in the act of Congress approved February 19, 1912 (37 U. S. Stats. L., p. 67), and of the improvements thereon, which is hereby expressly authorized, and for other work necessary to a final settlement of the affairs of the Five Civilized Tribes: *Provided*, That not to exceed $10,000 of such amount may be used in connection with the collection of rents of unallotted lands and tribal buildings: *Provided further*, That during the fiscal year ending June 30, 1917, no moneys shall be expended from tribal funds belonging to the Five Civilized Tribes without specific appropriation by Congress, except as follows: Equalization of allotments, per capita and other payments authorized by law to individual members of the respective tribes, tribal and other Indian schools for the current fiscal year under existing law, salaries and contingent expenses of governors, chiefs, assistant chiefs, secretaries, interpreters, and mining trustees of the tribes for the current fiscal year at salaries at the rate heretofore paid, and attorneys for said tribes employed under contract approved by the President, under existing law, for the current fiscal year: *Provided further*, That the Secretary of the Interior is hereby authorized to pay the cost of maintenance during the current fiscal year of the tribal and other schools and to continue during the ensuing fiscal year the tribal and other schools among the Choctaw, Chickasaw, Creek, and Seminole Tribes from the tribal funds of those nations, within his discretion and under such rules and regulations as he may prescribe: *And provided further*, That the Secretary of the Interior is hereby empowered, during the fiscal year ending June 30, 1917, to expend funds of the Chickasaw, Choctaw, Creek, and Seminole Nations available for school purposes under existing law for such repairs, improvements, or new buildings as he may deem essential for the proper conduct of the several schools of said tribes.

The amendment was agreed to.

The next amendment was, on page 75, after line 22, to insert:

For the salaries and expenses of not to exceed six oil and gas inspectors, under the direction of the Secretary of the Interior, to supervise oil and gas mining operations on allotted lands leased by members of the Five Civilized Tribes from which restrictions have not been removed, and to conduct investigations with a view to the prevention of waste, $25,000.

Mr. ASHURST. Mr. President, on page 76, line 1, after the word "allotted," I move to insert "or tribal"; and after the words "lands" I move to insert "in the State of Oklahoma"; and I move to strike out the words "leased by members of the Five Civilized Tribes," so that, if amended, it will read:

Allotted or tribal lands in the State of Oklahoma.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 76, line 1, after the word "allotted," it is proposed to insert "or tribal"; after the word "lands," to insert "in the State of Oklahoma," and to strike out the words "leased by members of the Five Civilized Tribes."

Mr. SMOOT. Mr. President, that is a restriction, and I should like to ask the Senator in charge of the bill why it should be made. Why not allow the appropriation to be used as provided for in the amendment, and apply to all members of the Five Civilized Tribes, rather than the way the Senator now proposes?

Mr. ASHURST. If the Senator is correct in his view, I have no objection. At present it would relate and restrict the matter solely to the lands leased by members of the Five Civilized Tribes, whereas if the amendment which I have proposed were adopted it would apply to allotted or tribal lands leased in the whole State of Oklahoma, whether of the Five Civilized Tribes or otherwise.

I think, if the Senator will pardon me, this is an enlargement, and the way it is written in the bill it is a restriction.

Mr. CURTIS. Mr. President——

Mr. ASHURST. I yield to the Senator from Kansas.

Mr. CURTIS. I hope the amendment offered by the Senator from Arizona to the amendment will not be agreed to. It is limited to the lands allotted and unallotted to the Five Civilized Tribes, and if you extend it and let it apply to all of

Oklahoma you will have to increase the force very materially, in my judgment.

Mr. ASHURST. I withdraw the amendment to the amendment.

The PRESIDING OFFICER. The Senator from Arizona withdraws the amendment to the amendment. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 76, after line 11, to insert:

That the Secretary of the Interior be, and he is hereby, authorized to effectuate a compromise settlement of the suit of the United States *v.* E. Dowden and others decided adversely to the Government on January 4, 1915, by the United States Circuit Court of Appeals for the Eighth Circuit and now pending on appeal in the Supreme Court of the United States, and for said purpose to purchase whatever right, title, and interest that said E. Dowden may have in or to the land involved in said suit, said land being situated within the area segregated for town-site purposes at Tuttle, Okla., and to take such other action as may be necessary to quiet the title in the Choctaw and Chickasaw Nations to said land and in the purchasers from said nations at the Government sale of the town lots; and for the above purpose the sum of $57,500, together with interest thereon at the rate of 6 per cent per annum from February 24, 1916, to date of settlement, is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated: *Provided*, That the United States is to be reimbursed to the extent of the proceeds heretofore derived, or which may hereafter be derived, from the sale of the town lots within the area affected by such compromise settlement.

Mr. SMOOT. Mr. President, it is very seldom that the rate of interest is provided in any bill passed by Congress. I will ask the Senator from Oklahoma to state why a rate of interest at 6 per cent is included in this amendment.

Mr. OWEN. It is because of an agreement made between the Government and Dowden, who has recovered judgment against the Government.

Mr. SMOOT. Is the interest to run only from the date of the judgment?

Mr. OWEN. From the date of the agreement. They made a compromise agreement, subject to approval by Congress, and the Government officials say if the agreement does not go through it will probably subject the Government to additional costs, amounting in all to a sum in the neighborhood of $100,000.

Mr. SMOOT. I am not objecting to the amendment.

Mr. OWEN. I know the Senator is entirely right in regard to the United States paying interest on any obligation, but this is not an obligation of the United States primarily; it is a judgment against the United States for a much larger sum, and this is a compromise agreement which the Government officers have made, and, if it is accepted by Congress, interest should be paid from that date.

Mr. SMOOT. It bears interest only from the date of the agreement?

Mr. OWEN. That is all.

The amendment was agreed to.

The next amendment was, under the head of "Oregon," on page 77, line 12, to change the number of the section from 19 to 20.

The amendment was agreed to.

The next amendment was, on page 77, line 24, after the word "improvements," to strike out "$12,000; for remodeling sewer system, $5,000; in all, $119,000" and insert "$15,000; for remodeling sewer system, $5,000; for three high-pressure steam boilers, $7,200; for new laundry machinery, $2,000; for one new rotary brick oven, $1,800: *Provided*, That the unused balance of $9,830 of the amount appropriated by the act of August 1, 1914 (38 Stat. L., p. 602), and an additional amount of $2,500 may be expended for an addition to the assembly hall; in all, $135,500," so as to make the clause read:

For support and education of 600 Indian pupils, including native Indian pupils brought from Alaska, at the Indian school, Salem, Oreg., including pay of superintendent, $102,000; for general repairs and improvements, $15,000; for remodeling sewer system, $5,000; for three high-pressure steam boilers, $7,200; for new laundry machinery, $2,000; for one new rotary brick oven, $1,800: *Provided*, That the unused balance of $9,830 of the amount appropriated by the act of August 1, 1914 (38 Stat. L., p. 602), and an additional amount of $2,500 may be expended for an addition to the assembly hall; in all, $135,500.

The amendment was agreed to.

The next amendment was, on page 78, line 25, after the word "act," to strike out "in the discretion of the Secretary of the Interior, shall be deposited in the Treasury to the credit of said Indians" and insert "shall be paid, share and share alike, to the enrolled members of the tribe," so as to make the clause read:

For support and civilization of Indians at Grande Ronde and Siletz Agencies, Oreg., including pay of employees, $4,000: *Provided*, That section 3 of an act entitled "An act to authorize the sale of certain lands belonging to the Indians of the Siletz Indian Reservation in the State of Oregon," approved May 13, 1910, be, and the same is hereby, amended by striking out all of said section and inserting in lieu thereof the following:

"SEC. 3. That when such lands are surveyed and platted they shall be appraised and sold, except land reserved for water-power sites as provided in section 2 of this act, under the provisions of the Revised Statutes covering the sale of town sites located on the public domain. That the proceeds derived from the sale of any lands hereunder, after reimbursing the United States for the expense incurred in carrying out the provisions of this act, shall be paid, share and share alike, to the enrolled members of the tribe."

The amendment was agreed to.

The next amendment was, on page 79, after line 11, to insert:

That the sum of $1,000, or so much thereof as may be necessary, of the tribal funds of the Klamath Indians of the State of Oregon, is hereby appropriated to pay the actual expenses of the two delegates of the said tribe who have been elected by the general council of the Klamath Indians to attend to the business of the tribe and pay their expenses to Washington in February and March, 1916, to present the affairs of the said Klamath Indians of the State of Oregon to the officials of the United States.

The amendment was agreed to.

The next amendment was, on page 79, after line 20, to insert:

For the construction of a bridge across the Williamson River on the Klamath Indian Reservation, Oreg., $3,000, or so much thereof as may be necessary, to be immediately available and to remain available until expended, reimbursable to the United States by the Indians having tribal rights on said reservation, and to remain a charge and lien upon the lands and funds belonging to said Indians until paid.

The amendment was agreed to.

The next amendment was, on page 80, line 14, after the words "at least," to strike out "one-third" and insert "one-half," so as to read:

For the construction of two bridges on the Umatilla Indian Reservation, in Oregon, suitable for wagon and other purposes, across the Umatilla River, at a limit of cost of $28,000, the first at or near Thorn Hollow Station, the second at or near Mission Station, the sum of $18,666 is hereby appropriated to be expended under the direction of the Secretary of the Interior and to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of said Indians: *Provided*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Oregon, or from the county of Umatilla, at least one-half of the cost of said bridges, and that the proper authorities of the said State of Oregon or the said county of Umatilla shall assume full responsibility for, and agree at all times to maintain and repair, said bridges and construct and maintain the approaches thereto: *Provided further*, That any and all expenses above the amount herein named in connection with the building and maintenance of said bridges shall be borne by the said State of Oregon or the said county of Umatilla.

The amendment was agreed to.

Mr. ASHURST. May I ask the attention of the Senator from Oregon [Mr. LANE]? In line 7, page 80, I move to strike out the numerals "$18,666" and insert "$14,000."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment was, on page 80, after line 22, to insert:

That jurisdiction is hereby conferred upon the Court of Claims, with the right of appeal to the Supreme Court of the United States, to consider and adjudicate any claim, arising under treaty stipulations or otherwise, which the Klamath Band of Indians, or other bands of Indians residing in the State of Oregon, have against the United States; and such suit or suits as may be instituted hereunder shall, if the convenience of the court admit, be advanced upon the docket of either of said courts for trial, and be determined at the earliest practicable time.

That upon the final determination of such suit or suits the Court of Claims shall decree such fees as the court shall find to be reasonable, to be paid to the attorney or attorneys employed by the said band of Indians, and the same shall be paid out of the sum found to be due said band of Indians when an appropriation therefor shall have been made by Congress: *Provided*, That in no case shall the fees decreed by the court exceed in amount such sum or sums as may have been fixed therefor under the terms of any contract entered into between the Indians and their attorney in conformity with section 2103 and the following of the Revised Statutes of the United States for the prosecution of their claim.

The amendment was agreed to.

The next amendment was, under the head of "Pennsylvania," on page 81, line 22, to change the number of the section from "20" to "21."

The amendment was agreed to.

The next amendment was, under the head of "South Dakota," on page 82, line 2, to change the number of the section from 21 to 22; in line 4, after the word "superintendent," to strike out "$61,500" and insert "$62,955"; and in line 5, after the words "in all," to strike out "$67,500" and insert "$68,955: *Provided*, That the unexpended balance of the $10,000 appropriated by the act approved August 1, 1914, for repairing buildings and replacing equipment destroyed or damaged by the tornado of June 10, 1914, at Flandreau Indian School, S. Dak., is hereby reappropriated and made immediately available for the purchase and installation of a water tank and the purchase of dairy cattle for said school," so as to make the clause read:

SEC. 22. For support and education of 365 Indian pupils at the Indian school at Flandreau, S. Dak., and for pay of superintendent, $62,955; for general repairs and improvements, $6,000; in all, $68,955: *Provided*, That the unexpended balance of the $10,000 appropriated by the act approved August 1, 1914, for repairing buildings and re-

placing equipment destroyed or damaged by the tornado of June 10, 1914, at Flandreau Indian School, S. Dak., is hereby reappropriated and made immediately available for the purchase and installation of a water tank and the purchase of dairy cattle for said school.

The amendment was agreed to.

The next amendment was, on page 82, line 19, after the word "new," to strike out "boiler" and insert "boilers"; in line 20, after $1,000, to strike out "in all, $55,750" and insert "for barn, $5,000; in all, $60,750," so as to make the clause read:

For support and education of 250 Indian pupils at the Indian school at Pierre, S. Dak., including pay of superintendent, $43,750; for general repairs and improvements, $6,000; for steel water tank, $2,000; for new boilers and installation thereof, $3,000; for addition to shop building, $1,000; for barn, $5,000; in all, $60,750.

The amendment was agreed to.

The next amendment was, at the top of page 84, to insert:

That the Secretary of the Interior be, and he is hereby, authorized to provide adequate school facilities for Indian children now without Government or public-school facilities in the Sioux Indian country, and there is hereby appropriated $250,000 for this purpose, which shall include the purchase of necessary sites, to be immediately available.

Mr. GRONNA. The hyphen between "public" and "school" in line 3 should be stricken out.

The PRESIDING OFFICER. It will be so ordered. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The next amendment was, under the head of "Utah," on page 85, line 14, to change the number of the section from 22 to 23.

The amendment was agreed to.

The next amendment was, on page 87, after line 9, to insert:

For a proportionate share of the amount required to construct an interstate wagon road or highway through the Kaibab Indian Reservation, Utah, the sum of $9,000: *Provided*, That such sum shall be expended under the direction of the Secretary of the Interior in such manner and at such times as he may deem proper in the employment of Indian labor for the construction of said road or highway.

The amendment was agreed to.

The next amendment was, on page 87, line 22, after the word "expended," to insert:

Provided, That this appropriation shall be used to hold, maintain, and operate said systems so as to secure to the Indians their paramount rights to so much of the waters of the streams in said reservation as may be needed by them for agricultural and domestic purposes, and to regulate the use, enlargement, and extension of said systems by any person, association, or corporation under the provisions of the act of June 21, 1906 (34 Stat. L., p. 325), only upon the acquisition of a right thereto as provided in the act of March 1, 1899 (30 Stat. L., p. 941).

So as to make the clause read:

For continuing the construction of lateral distributing systems to irrigate the allotted lands of the Uncompahgre, Uintah, and White River Utes, in Utah, and to maintain existing irrigation systems, authorized under the act of June 21, 1906, reimbursable as therein provided, $40,000, to remain available until expended: *Provided*, That this appropriation shall be used to hold, maintain, and operate said systems, etc.

Mr. SMOOT. I make a point of order on the proposed amendment, the proviso beginning on page 87, line 23, down to and including line 10 on page 88.

The PRESIDING OFFICER. What is the point of order?

Mr. SMOOT. The point of order is that it is legislation on an appropriation bill.

Mr. ASHURST. I confess that the amendment is subject to the point of order. I admit that.

The PRESIDING OFFICER. The Chair sustains the point of order.

The next amendment was, on page 88, after line 10, to insert:

To reimburse the board of education of Box Elder County, State of Utah, for education of 23 Indian pupils at the Washakie School, Box Elder County, during the school year of 1913 and 1914, and for the education of 21 Indian pupils at the same school during the school year of 1914 and 1915, $1,684.

The amendment was agreed to.

The next amendment was, on page 88, after line 18, to insert:

For the education of 22 Indian pupils at the Indian school at Washakie, Box Elder County, for the school year 1915 and 1916, or so much thereof as may be necessary, $832.

The amendment was agreed to.

The next amendment was, on page 88, after line 22, to insert:

To enable the Secretary of the Interior to protect the north abutment of the Government bridge at Myton, Utah, from high water, $1,000, to be immediately available.

The amendment was agreed to.

The next amendment was, under the head of "Washington," on page 89, line 2, to change the number of the section from 23 to 24.

The amendment was agreed to.

The next amendment was, on page 89, line 15, after the word "Washington," to strike out "$13,000" and insert "$15,000," so as to make the clause read:

For support and civilization of Indians at Colville, Taholah, Puyallup, and Spokane Agencies, including pay of employees, and for purchase of agricultural implements, and support and civilization of Joseph's Band of Nez Perce Indians in Washington, $15,000.

The amendment was agreed to.

The next amendment was, on page 94, after line 5, to insert:

That there is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, $95,000, to be used by the Commissioner of Indian Affairs under the direction of the Secretary of the Interior, in the acquisition of water rights for the lands heretofore allotted to Indians, situated within the boundaries of the West Okanogan Valley irrigation district, Okanogan County, Wash., and for the payment of the proportionate operation and maintenance charges of the said district. The Secretary of the Interior is authorized to negotiate for said water rights and to pay therefor as he may deem appropriate, such part of the sum herein appropriated as he may determine to be necessary for the best interests of the Indians: *Provided*, That nothing herein contained shall be construed to authorize any lien or claims upon or against said allotted lands not herein specifically appropriated for: *Provided further*, That the amounts expended under this appropriation shall be reimbursed to the United States by the owners of the land on behalf of which such expenditure is made, upon such terms as the Secretary may prescribe, which shall be not less favorable to the Indians than the reimbursement required of settlers upon lands irrigated under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. L., p. 388), and acts amendatory thereof or supplementary thereto; and if any Indian shall sell his allotment or part thereof, or receive a patent in fee for the same, any amount of the charge made to secure reimbursement remaining unpaid at the time of such sale or issuance of patent shall be a lien on the land, and patents issued therefor shall recite the amount of such item.

The amendment was agreed to.

The next amendment was, under the head of "Wisconsin," on page 95, line 13, to change the number of the section from 24 to 25.

The amendment was agreed to.

The next amendment was, on page 96, after line 3, to insert:

There is hereby appropriated the sum of $95,000, to be used in addition to the tribal funds of the Stockbridge and Munsee Tribes of Indians, for the payment of the members of the Stockbridge and Munsee Tribes of Indians who were enrolled under the act of Congress of March 3, 1893, equal amounts to the amounts paid to the other members of said tribe prior to the enrollment under said act, and such payments shall be made upon the certificate and order of the Commissioner of Indian Affairs upon claims being filed with him, showing to his satisfaction that such claimants, or the ancestors of such claimants, were enrolled under the act of March 3, 1893, entitled, "An act for the relief of the Stockbridge and Munsee Tribes of Indians of the State of Wisconsin."

The amendment was agreed to.

The next amendment was, on page 96, after line 18, to insert:

For the purchase of pure-bred dairy cattle for the Oneida Indian School, Wisconsin, $10,000.

The amendment was agreed to.

The next amendment was, on page 97, line 12, after the word "self-supporting," to insert:

Provided, That in order to train said Indians in the use and handling of money, not exceeding $25,000 of the above appropriation may be paid to them per capita, or be deposited to their credit subject to expenditure in such manner and under such rules and regulations as the Secretary of the Interior may prescribe.

So as to make the clause read:

For the support and civilization of those portions of the Wisconsin Band of Pottawatomie Indians residing in the States of Wisconsin and Michigan, and to aid said Indians in establishing homes on the lands purchased for them under the provisions of the Act of Congress approved June 30, 1913, $100,000, or so much thereof as may be necessary, said sum to be reimbursed to the United States out of the appropriation, when made, of the principal due as the proportionate share of said Indians in annuities and moneys of the Pottawatomie Tribe in which they have not shared, as set forth in House document No. 830 (60th Cong., 1st sess.), and the Secretary of the Interior is hereby authorized to expend the said sum of $100,000 in the clearing of land and the purchase of houses, building material, seed, animals, machinery, tools, implements, and other equipment and supplies necessary to enable said Indians to become self-supporting: *Provided*, That in order to train said Indians in the use and handling of money, not exceeding $25,000 of the above appropriation may be paid to them per capita, or be deposited to their credit subject to expenditure in such manner and under such rules and regulations as the Secretary of the Interior may prescribed.

The amendment was agreed to.

The next amendment was, on page 97, after line 17, to insert:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $125,000, in full settlement of the claims against the United States of the St. Croix Chippewa Indians of Wisconsin whose names appear upon the final roll prepared by the Secretary of the Interior pursuant to the provisions of the act of Congress approved August 1, 1914, and which final roll is contained in the report of the Secretary of the Interior to the House of Representatives, dated March 3, 1915, the same being House Document No. 1663 (63d Cong., 3d sess.). That the Secretary of the Interior is hereby authorized and directed to distribute said funds per capita among said Indians appearing upon said final roll, or in his discretion, the per capita share of each said Indian may be credited to him and expended by said Secretary for his benefit in such manner, including the purchase of land, as he may deem proper: *Provided*, That the Secretary of the Interior be, and he hereby is, authorized and directed to strike from the said final roll of the St. Croix Chippewas the name of Maggie Staples, No. 39 thereon, and also to strike therefrom the name or names of any other Indians who shall hereafter be found to have received an allotment of lands on any Indian reservation: *And provided further*, That no part of the money hereby appropriated shall be paid to any persons whose names shall be so stricken from the final roll by the Secretary of the Interior.

Mr. CURTIS. I make a point of order against that amendment that it is a claim.

The PRESIDING OFFICER. What is the point of order?

Mr. CURTIS. It is a claim. It is shown on the face of the item that it is a claim, which has no place on an appropriation bill.

Mr. CLAPP. Mr. President, just a moment. This is an item that does not pertain of course to my State. It was put on, I think, by request of the senior Senator from Wisconsin [Mr. LA FOLLETTE]. He is not here. I should like to call the attention of the junior Senator from Wisconsin [Mr. HUSTING] to the amendment.

Mr. HUSTING. Mr. President, I did not hear the statement of the Senator from Minnesota on this side of the Chamber.

Mr. CLAPP. We are now on page 97 of the bill, embracing the appropriation of $125,000 for the St. Croix Chippewa Indians of Wisconsin, to which item a point of order has been made by the Senator from Kansas [Mr. CURTIS] and to which I wish to invite the attention of the junior Senator from Wisconsin [Mr. HUSTING], his colleague [Mr. LA FOLLETTE] not being present. I am not certain whether or not the junior Senator from Wisconsin is familiar with the matter.

Mr. HUSTING. I will say to the Senator from Minnesota that I am not familiar with it.

Mr. CURTIS. Mr. President, I might say to the Senator from Wisconsin that there is no question that this item is a claim. I would not raise the point of order against it if it were not for the fact that the membership rolls in this case have not yet been fully settled, and it seems to me that it would be unwise to put a claim on an appropriation bill until we fully know where the money is going and until such rolls are fully settled.

Mr. HUSTING. Mr. President, I desire to say that the senior Senator from Wisconsin will return early next week, and I would suggest to the Senator that the item be passed over for the present.

Mr. ASHURST. I will say to the Senator from Wisconsin that we are going to pass the bill to-day. Will the Senator from Kansas withdraw his point of order for 20 or 30 minutes, so that I may furnish the Senator from Wisconsin certain data that the committee had before it when it acted on the question?

The PRESIDING OFFICER. Does the Senator from Kansas accede to the suggestion of the Senator from Arizona?

Mr. CURTIS. Mr. President, I am perfectly willing, if it is so desired, to pass the amendment over for the present, but whenever the amendment is considered I shall insist on the point of order, and I thought we might as well settle it now as any other time.

The PRESIDING OFFICER. Is there objection to the amendment being passed over temporarily? The Chair hears none, and it is so ordered.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 99, line 9, after the word "prescribe," to insert:

Provided, That no lands shall be cleared for agricultural purposes, pursuant to the foregoing provision, excepting such lands as have been heretofore completely and wholly cut over.

So as to make the clause read:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $300,000, or so much thereof as may be necessary, of the tribal funds of the Menominee Indians in Wisconsin, arising under the provisions of the acts of June 12, 1890 (26 Stat. L., p. 146), and March 28, 1908 (35 Stat. L., p. 51), and to expend the same in the clearing of land, the erection of sanitary homes, and the purchase of building material, seed, teams, farming equipment, dairy stock, machinery, tools, implements, and other equipment and supplies necessary to enable said Indians to become self-supporting, under such regulations as he may prescribe: *Provided*, That no lands shall be cleared for agricultural purposes, pursuant to the foregoing provision, excepting such lands as have been heretofore completely and wholly cut over.

The amendment was agreed to.

The next amendment was, on page 99, after line 12, to insert:

Section 3 of the act of March 28, 1908 (35 Stat. L., p. 51), is hereby amended to read: "That the lumber, lath, shingles, crating, ties, piles, poles, posts, bolts, logs, bark, pulp wood, and other marketable materials obtained from the forests on the Menominee Reservation shall be sold under such rules and regulations as the Secretary of the Interior may prescribe. The net proceeds of the sale of all forest products shall be deposited in the Treasury of the United States to the credit of the Menominee Tribe of Indians. Such proceeds shall bear interest at the rate of 4 per cent per annum, and the interest shall be used for the benefit of such Indians in such manner as the Secretary of the Interior shall prescribe."

The amendment was agreed to.

The next amendment was, on page 100, after line 2, to insert:

That, without bias or prejudice to the rights or interests of any party to the litigation now pending, the Secretary of the Interior be, and he hereby is, authorized to sell the timber on the so-called "school lands" and "swamp lands" within the boundaries of the Bad River and Lac du Flambeau Indian Reservations in Wisconsin, and to which the State of Washington has asserted a claim; to keep a separate account of the proceeds of such sale with each legal subdivision of such land, and to deposit the said proceeds at interest in a national bank, bonded for the safe-keeping of individual Indian moneys, to be paid over, together with the interest thereon, to the party who shall finally be adjudged to be the owner of such land: *Provided*, That the consent of the State or parties claiming title therefrom be obtained before any such sale shall be made.

Mr. WALSH. Mr. President, that seems to me rather a strange provision, and I should like to have a little explanation of it. Apparently there is a controversy between the United States, as the representative of the Indians, and the State of Wisconsin as to the ownership of this land, and it is provided that the timber shall be sold and the amount of proceeds deposited.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Vermont?

Mr. WALSH. Certainly.

Mr. PAGE. I want to say to the Senator from Montana that I have personally visited this reservation, and I confess that it is unlike any other reservation in the United States, and this legislation is unlike any other legislation. The purpose of this legislation is to try out the management of a lumber project by the Indians themselves. I think a great deal of honest labor has been devoted to this matter to see if we could not make it practicable for the Indians to conduct their own business affairs. I think, although I am not certain about it, that if the Senator should go to the bottom of this matter and make a careful investigation he would find that there is nothing wrong in the proposed legislation, and that the proposed experiment ought to be tried out. I know that for a few years this experiment proved to be a bad failure. A large mill was built at Menomonie, which was run by the Indians, with the exception of white superintendents. The loss at first, I think, was quite large, but I have recently been informed by the Senator from Wisconsin [Mr. LA FOLLETTE] that much improvement is being made in the management of this enterprise and that it now bids fair to be a success. I hope the Senator from Montana will allow the experiment to be tried out still further, especially since it is the wish of the Wisconsin Senators that this be done.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Kansas?

Mr. PAGE. I yield?

Mr. CURTIS. I want to state that this is an amendment relating to the sale of timber. Under the existing law such timber must be sold at public auction to the highest bidder for cash, while other people who have timber for sale are selling it on time. As a result of that law, the Indians are losing $50,000 a year. The department believes that this amendment will enable the Indians to sell their timber in competition with others and to thereby obtain purchasers. There is great danger to the timber that is reserved. There are now over 45,000,000 feet of it that is liable to the ravages of fire, because it can not be sold for cash. I understand that the department is very anxious to have the proposed amendment made in the act of 1908.

Mr. ASHURST. If the Senator from Vermont will permit me, I will state that the proposed sale will in no wise interfere with the litigation, because the proceeds of the sale will be deposited and await the result of the litigation. I read a short extract in reference to the matter as follows:

House hearings, page 408; Senate hearings, page 523.

The justification for this item is found on page 408 of the House hearings. The timber in that country has been very largely manufactured, and unless this timber on the school lands and swamp lands where there is controversy as to the ownership is sold soon the opportunity for selling it at the highest price may not be much longer available. The provision was in the bill last year and was agreed to by the conferees. Suits have been instituted involving the title to the timber, and it is thought best to sell it, cover the money received into the banks under proper security to the Government, and hold it subject to the termination of the litigation. The emergency exists for the sale at the present state of the lumber market, when the best price likely to be had will be received.

Mr. CURTIS. Mr. President, I want to correct the statement which I made. I thought the question was on the amendment at the bottom of page 99, beginning in line 13, on that page, and ending in line 2, on page 100. My statement applied to that amendment. I know nothing about the other amendment.

Mr. PAGE. I also wish to say that it was to the amendment to which the Senator from Kansas has just referred that I was addressing my remarks—to the clause relative to the Menominee Reservation in Wisconsin. I now find that that amendment has been agreed to.

Mr. WALSH. Mr. President, I was about to remark that the explanation made by both the Senator from Vermont [Mr. PAGE] and the Senator from Kansas [Mr. CURTIS] seemed to be quite inconsistent with the language of the amendment.

I will say, however, that I was not speaking about the wisdom of the proposition from an economic standpoint; it may be a very good thing to authorize the sale of this timber; but evidently here is the situation: There is a controversy between the United States, representing the Indians, on the one side, and the State of Wisconsin on the other, concerning the ownership of this timber, and it is proposed to sell the timber and to put the proceeds of the sale into a court to await the event of that litigation.

Mr. OWEN. That is by consent of the parties.

Mr. WALSH. It is as to that I wished to inquire.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to. The Chair hears none.

The reading of the bill was resumed. The next amendment of the Committee on Indian Affairs was, on page 100, after line 17, to insert:

The allotment of any Indian on the Lac du Flambeau Reservation, in the State of Wisconsin, or any part of such an allotment, with the consent of the allottee, or in case of death, of his heirs, may be leased for residence or business purposes for terms not exceeding 20 years, under such rules and regulations as the Secretary of the Interior may prescribe, and with the consent of the Indians of the Lac du Flambeau Tribe, to be obtained in such manner as the Secretary of the Interior may require, the unallotted tribal lands within the said reservation may be leased under like conditions and for similar terms and purposes.

The amendment was agreed to.

The next amendment was, on page 101, after line 3, to insert:

For the repair and construction of sidewalks in the village of Odanah, within the Bad River Reservation, $1,000, said sum to be reimbursed to the United States from any moneys which are now or which may hereafter be placed to the credit of the Bad River Band of Wisconsin Chippewa Indians.

The amendment was agreed to.

The next amendment was, on page 101, after line 9, to insert:

For the completion of the road on the Red Cliff Reservation, $6,500, to be reimbursed out of the funds of the Indians of said reservation, under such rules, regulations, and conditions as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, under the head of "Wyoming," on page 101, line 5, to change the number of the section from 25 to 26.

The amendment was agreed to.

The next amendment was, on page 102, line 5, after the word "Wyoming," to strike out "$1,721.66" and insert "$1,721," so as to make the clause read:

For repairs at the old abandoned military post of Fort Washakie, on the Wind River Reservation, Wyo., $1,721.

The amendment was agreed to.

The next amendment was, on page 102, line 18, after the words "Wind River Reservation," to insert "including the ceded lands of said reservation," and in line 20, after the word "Wyoming," to strike out "$3,000" and insert "$5,000," so as to make the clause read:

To enable the Secretary of the Interior to have prepared and submitted to Congress at the beginning of the next regular session plans and estimates of the character and cost of structures necessary for completing the irrigation of all of the irrigable lands of the Shoshone or Wind River Reservation, including the ceded lands of said reservation, in Wyoming, $5,000.

The amendment was agreed to.

The next amendment was, at the top of page 103, to insert:

For the payment of salary and expenses of Joseph H. Norris as supervisor of Indian schools, October 21, to November 11, inclusive, 1912, $257.

The amendment was agreed to.

The next amendment was, on page 103, after line 4, to strike out:

SEC. 26. Annually on the first Monday in December, the Secretary of the Interior shall transmit to the Speaker of the House of Representatives estimates of the amounts of receipts to, and expenditures which the said Secretary recommends to be made for the benefit of the Indians from, all tribal funds of Indians for the ensuing fiscal year; and such statement shall show (first) the total amounts estimated to be received from any and all sources whatsoever, which will be placed to the credit of each tribe of Indians, in trust or otherwise, at the close of the ensuing fiscal year, (second) an analysis showing the amounts which the Federal Government is directed and required by treaty stipulations and agreements to expend from each of said funds or from the Federal Treasury, giving references to the existing treaty or agreement or statute, (third) the amounts which the Secretary recommends to be spent from each of the tribal funds held in trust or otherwise, and the purpose for which said amounts are to be expended, and said statement shall show the amounts which he recommends to be disbursed (a) for per capita payments in money to the Indians, (b) for salaries or compensation of officers and employees, (c) for compensation of counsel and attorney fees, and (d) for support and civilization: *Provided*, That from and after July 1, 1917, the Secretary of the Interior shall not expend any of the moneys which may be to the credit of any Indian tribe, whether received or held as a tribal fund or otherwise, except such amounts as are specifically authorized by Congress, and that all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

The amendment was agreed to.

The next amendment was, on page 104, after line 8, to insert as a new section the following:

SEC. 27. That section 26 of the Indian appropriation act approved June 30, 1913 (38 Stat. L., p. 103), is hereby amended so as to read as follows:

"On or before the 1st day of July, 1917, the Secretary of the Interior shall cause a system of bookkeeping and accounting to be installed in the Bureau of Indian Affairs which will afford a ready analysis of expenditures by appropriations and by units of the service, showing for each activity or class of work the expenditures for salaries and wages of employees; construction, repair, and rent of buildings; traveling expenses; transportation of supplies; stationery, printing, and binding; telegraphing and telephoning; heat, light, and power service; dry goods, clothing, and subsistence; purchase, repair, and operation of passenger-carrying vehicles; equipment; fuel; forage; schoolroom supplies, medical supplies; and for other purposes. Such further analysis and such additional changes and improvements in the system of bookkeeping and accounting shall be made as may be advisable in the judgment of the said Secretary.

"On the first Monday in December, 1918, and annually thereafter, a detailed statement of expenditures, as heretofore described, for the preceding fiscal year shall be transmitted to Congress by the Secretary of the Interior.

"The sum of $12,000 is hereby appropriated for expenses of installing the new system of bookkeeping and accounting required by this section, including the pay of expert accountants, at a rate of not exceeding $15 per day, and their assistants, to be employed by the Secretary of the Interior; transportation and sleeping-car fare of such employees when traveling under orders of the Commissioner of Indian Affairs; and the purchase of such books, stationery, and other supplies as may be necessary."

Mr. LANE. I move to strike out all of that provision included between lines 5 and 18, on page 105, and to insert in its place a provision which I send to the desk. I move this amendment for the reason that there is an expenditure of $12,000 provided for installing a new system of bookkeeping, and I am informed that there is a board of efficiency organized especially for that purpose. If the work is turned over to that board, it will be done without any expense at all to the Government.

Mr. ASHURST. Let the amendment to the amendment which has been proposed by the Senator from Oregon be stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 105 it is proposed to strike out from line 5 to line 18, inclusive, as follows:

On the first Monday in December, 1918, and annually thereafter, a detailed statement of expenditures, as heretofore described, for the preceding fiscal year shall be transmitted to Congress by the Secretary of the Interior.

The sum of $12,000 is hereby appropriated for expenses of installing the new system of bookkeeping and accounting required by this section, including the pay of expert accountants, at a rate of not exceeding $15 per day, and their assistants, to be employed by the Secretary of the Interior; transportation and sleeping-car fare of such employees when traveling under orders of the Commissioner of Indian Affairs; and the purchase of such books, stationery, and other supplies as may be necessary.

And in lieu thereof to insert:

That on or before the 31st day of December, 1916, the Bureau of Efficiency shall prepare and submit to the Secretary of the Interior a system of accounting for the Bureau of Indian Affairs that will meet the requirements of section 26 of the Indian appropriation act approved June 30, 1913, 38 Statutes at Large, page 103.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. SUTHERLAND. Mr. President, I do not quite understand the reference in the latter part of the proposed amendment. It refers to section 26 of the Indian appropriation act of 1913. Is not that section of that act superseded by the language of the amendment? It says:

That section 26 of the Indian appropriation act approved June 30, 1913 (38 Stat. L., p. 103), is hereby amended so as to read as follows.

The point is that the reference should be to this amendment, and not to the act of 1913, which is superseded.

Mr. LANE. That may be so.

Mr. SUTHERLAND. That is the only point of the suggestion.

Mr. LANE. I do not know as to that.

Mr. SUTHERLAND. It should say "in accordance with the foregoing," and not "in accordance with the act of June 30, 1913," which is superseded by this act.

Mr. ASHURST. Mr. President, I am in favor of this amendment, but I believe it should begin by striking out all after line 13, on page 104. Does that meet the views of the Senator from Utah?

Mr. SUTHERLAND. I do not know; I am not familiar with the statute; but the point is that if you leave in the provision which precedes the amendment, then the reference should be to this provision and not to the act which is superseded.

Mr. ASHURST. That is true.

Mr. SUTHERLAND. If you strike out the whole section and insert the amendment proposed by the Senator from Oregon, then the reference is correct.

Mr. LANE. Then I move to strike out the entire section. I am acquainted in a general way with the faults of the system. As I am reliably informed, the books have never been analyzed and no balance has ever been taken from them since the early foundation of the bureau. An expert was employed to check the books over, but he was unable to strike a balance. The department itself freely acknowledges that it can not do so and asks for the installation of a system which will allow their accounts to be handled in a proper and businesslike manner. I understand that there is a board or bureau provided by the Government for that purpose, and I do not see any reason why we shall expend $12,000 when it can be done without the cost of a penny. That is my object, and if it requires the striking out of the whole section to perfect my amendment, I will ask that that be done.

Mr. WALSH. Mr. President, upon what information does the Senator suggest to us that the recommendations of the Efficiency Commission will meet the necessities of the case?

Mr. LANE. All I know about it is that there is in operation a certain bureau of efficiency, and I am reliably informed by several Senators of whom I have made inquiry that it is competent to do the work. The department desires the task accomplished, and there is further evidence, as I said awhile ago, in the report of the special experts who failed to balance the books.

Mr. OWEN. I believe the Bureau of Efficiency was abolished, though as to that I am not certain.

Mr. LANE. I spoke to the senior Senator from Utah [Mr. SMOOT] a moment ago regarding the matter, and he assured me that the bureau was perfectly reliable and competent. Personally I do not know the members of it.

Mr. OWEN. Mr. President, I call the attention of the Senator from Oregon to the first part of section 27 as proposed, which requires the Secretary of the Interior to put into force before the 1st day of July, 1917, this system, and the second part of the proposal as made by him provides that the manner of the bookkeeping shall be prescribed by the Bureau of Efficiency or the board of efficiency experts, whoever they are. There are two different proposals entirely—one in relation to the form prescribed and the other that when it is prescribed it shall be put into effect. Does the Senator wish to leave the matter merely with the suggestion by the Efficiency Bureau as to form, without requiring it to be put into effect?

Mr. LANE. No. If the Bureau of Efficiency suggest a good plan, and it meets with the approval of Congress and the Secretary of the Interior, I think we ought to take measures to adopt it. The matter has been running along now for 80 years without any remedy, and this is merely a step in the right direction.

Mr. OWEN. I agree with the Senator that it should be done.

Mr. LANE. I know the Senator does. The Senator from Oklahoma referred to the matter before the Committee on Indian Affairs and made the same recommendation that I have made.

Mr. OWEN. I made such recommendation. I suggest that the amendment be agreed to, and then it can be adjusted in conference.

Mr. JONES. Mr. President, I understand we are now considering the amendment on page 103, to strike out section 26.

The VICE PRESIDENT. That has already been stricken out.

Mr. JONES. Has that amendment been agreed to?

The VICE PRESIDENT. It has been agreed to.

Mr. JONES. I am very sorry that that is the case. I did not realize that we had progressed that far. I should like to ask the chairman of the committee now as to why section 26 is stricken out? Why is it that we can not have an item in this bill that will require of the department a full and complete accounting of all moneys that it expends?

Mr. ASHURST. Mr. President, the Senate committee was of the opinion that the matter substituted, commencing on line 9, page 104, would provide a better, more efficient, and a more accurate method of accounting.

Mr. JONES. Then, section 27 is intended as a substitute for section 26.

Mr. ASHURST. That is the idea; section 27 is intended to be a substitute for the portion stricken out.

Mr. JONES. Let me ask the Senator, will section 27 require the Indian Office to keep and submit to Congress detailed statements of the moneys of the Indians which they expend for the benefit of the Indians, or does it only cover appropriations made by Congress?

Mr. LANE. I am informed, if the Senator will permit me, that section 27 will not accomplish that.

Mr. JONES. That is what I thought.

Mr. LANE. The provision in the amendment which I am offering as a substitute for this will allow that to be done.

Mr. JONES. The Senator is offering a substitute for the provision in the bill?

Mr. LANE. I am.

Mr. JONES. I am glad to know that, because I understand that the Indian Office always has been acting under authority given them possibly years and years ago. They have had to expend money for the benefit of the Indians, and have been spending thousands and thousands of dollars without rendering any accounting, and we can not get any accounting. That ought not to be permitted.

Mr. LANE. That, Mr. President, is my understanding. Not thousands, but hundreds upon hundreds of thousands have been expended without a report ever being made to Congress. We know nothing about it and can not secure the information.

Mr. ASHURST. Mr. President, if the Senator from Washington believes that the amendment offered by the Senator from Oregon [Mr. LANE] is not adequate and is insufficient to require the department to furnish the data he thinks should be furnished, and which I presume all think should be furnished, there is no objection whatever to so amending the provision that it will accomplish the object desired.

Mr. JONES. I will say that I could not think that the chairman of the committee would be opposed to the information being furnished.

Mr. ASHURST. Everybody is in favor of requiring the information to be furnished.

Mr. JONES. I do not know what the language of the amendment proposed by the Senator from Oregon is. I should like to have it again stated.

The VICE PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. It is proposed to add a new section to the bill, as follows:

SEC. 27. That on or before the 31st day of December, 1916, the Bureau of Efficiency shall prepare and submit to the Secretary of the Interior a system of accounting for the Bureau of Indian Affairs that will meet the requirements of section 26 of the Indian appropriation act approved June 30, 1913. (38 Stat. L., 103.)

Mr. JONES. Mr. President, I do not know what the provisions of section 26 of the Indian appropriation act referred to are; I have not had time to look up that act; I do not know what that section requires; and I do not know whether or not the amendment meets the situation. I take it, however, that this matter can be adjusted pretty well in conference, and, in view of the opinion expressed here by the chairman of the committee, I have no doubt that there will be worked out in conference a reasonable, broad, comprehensive provision, and one that will take care of the situation. So I shall have nothing further to say regarding it.

Mr. ASHURST. Mr. President, I think I can present a solution of the difficulty, to which all Senators will agree. Let the Senate disagree to the amendment striking out section 26 and adopt the amendment proposed by the Senator from Oregon. That surely is so broad and so comprehensive that it is bound to include every possible fund concerning which accounting and reports should be made.

Mr. JONES. Does the Senator mean to disagree to the amendment striking out section 26?

Mr. ASHURST. Yes; disagree to the committee's amendment, which would restore section 26, and then add the amendment of the Senator from Oregon.

Mr. JONES. That would be satisfactory to me.

Mr. ASHURST. Then, the most remote excursion of the imagination could not possibly find anything concerning which the bureau would not be called upon to make reports.

Mr. JONES. That would be satisfactory to me.

Mr. OWEN. I desire to call the attention of the chairman of the committee to the fact that if the Senate disagrees to the amendment striking out section 26, that section will stand in the bill and will not be in conference. It will be necessary to agree to the amendment striking that section out in order to put the subject matter into conference.

Mr. JONES. I would rather not have it in conference; I would rather have section 26 agreed to; but, in view of the fact that I am advised by the President of the Senate that the amendment striking out section 26 has already been agreed to, I desire to express the hope that the conference committee will work the matter out satisfactorily.

Mr. ASHURST. Mr. President, one further word. Whatever form the amendment takes, I think we should make the appropriation of $12,000 to provide for sufficient clerks to carry out its provisions.

Mr. JONES. I am not opposing that at all.

Mr. ASHURST. I think that it will cost $12,000 a year for clerk hire to provide this information. I say that now, so that Senators may be advised.

Mr. JONES. We ought to have the information; we can not dispense with the provision for the accounting of the Indian funds merely because it may cost a little money. It probably will cost a little something, but I am not opposed to the appropriation at all. What I am anxious to have is the accounting.

Mr. ASHURST. I wish to assert that the accounting as provided for by section 26 will require at least $12,000 a year to provide the necessary experts and clerks.

Mr. SMITH of Michigan. Question!

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Oregon to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now recurs on the amendment as amended.

Mr. JONES. As I understand, section 26 is stricken out, so that it will go to conference.

The VICE PRESIDENT. That provision will go to conference.

Mr. JONES. I really have no objection to that. The whole matter, then, will be worked out in conference.

The VICE PRESIDENT. Without objection, the amendment as amended is agreed to.

Mr. SMITH of Michigan. I desire to offer an amendment.

The VICE PRESIDENT. Is it a committee amendment?

Mr. SMITH of Michigan. It is not.

The VICE PRESIDENT. The committee amendments are not disposed of as yet, and they are to be disposed of first, under the order of the Senate.

Mr. SMITH of Michigan. Very well.

The VICE PRESIDENT. The Secretary will state the first amendment passed over.

The SECRETARY. The first amendment passed over is on page 67, after line 18, to insert:

To pay the Women's Board of Domestic Missions, Reformed Church in America, $10,000 to reimburse said board for buildings on the Fort Sill Military Reserve, in the State of Oklahoma, constructed by said board with the consent of the Government and utilized for the education and civilization of the Fort Sill Apache prisoners of war until the removal of said Indians from said Fort Sill Military Reserve.

Mr. GRONNA. Mr. President, I dislike very much to make a point of order against this item, but it is clearly subject to a point of order, because it is a private claim, and it ought to be considered by the Committee on Claims. A similar item went out on a point of order on the floor of the House. It may be that this is a meritorious claim; and I will say, as one member of the Claims Committee, that if it is referred to that committee I shall give it very careful consideration. I do not think, however, it should go on this bill, and I therefore make the point of order that it is a private claim on a general appropriation bill.

Mr. OWEN. Mr. President, the claim referred to is to reimburse the Women's Board of Domestic Missions of the Reformed Church in America the cost of the buildings which were erected for the instruction of these Indians, who were then moved away by the Government of the United States, leaving the buildings without any use to which they could be put by the Women's Board of Domestic Missions.

I think what the Senator says is true with regard to its being subject to a point of order, and I can not with good grace argue that it is not subject to a point of order, because I really think it is. I had hoped, however, that it might not meet that objection, because of the special merit of the case.

The VICE PRESIDENT. What rule of the Senate makes this item subject to a point of order?

Mr. OWEN. It is a claim against the United States on account of this action. I assumed, therefore, that it was subject to a point of order.

Mr. SUTHERLAND. Mr. President, I should like to ask the Senator from Oklahoma a question about this item. I seem to recollect that it has been up before. It seems to me that it was before the committee when I was a member of it.

Mr. OWEN. Yes; it was recommended, I believe, during the last Congress, but the Indian appropriation bill failed during the last Congress.

Mr. SUTHERLAND. It was quite fully investigated by the Indian Affairs Committee at one time, as I recall.

Mr. OWEN. Yes.

Mr. SUTHERLAND. And we were all of the opinion that it was a meritorious item.

Mr. OWEN. It is a meritorious item, and I had hoped no point of order would be made against it.

Mr. SUTHERLAND. The item has been pending for a great many years, has it not?

Mr. OWEN. Not a great many years; just three or four years. It could be sent to the Claims Committee, I suppose, if the point of order is insisted upon, and might be disposed of there.

The VICE PRESIDENT. Let the Chair see if he understands the point of order of the Senator from North Dakota. Is it that this is a claim?

Mr. GRONNA. That it is a claim on an appropriation bill.

The VICE PRESIDENT. Where is the rule that makes it subject to a point of order?

Mr. GRONNA. I think Rule XVI.

The VICE PRESIDENT. There is not anything there about a claim.

Mr. GRONNA. I read paragraph 4:

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

The VICE PRESIDENT. The Senator is right. The point of order will be sustained.

Mr. GRONNA. Now, Mr. President, I ask that we recur to page 44.

Mr. ASHURST. Mr. President, if the Senator will pardon me, there was another amendment, a Wisconsin amendment, passed over. A point of order was made against it. I should like to have that matter determined.

Mr. GRONNA. Very well.

The SECRETARY. The next amendment passed over is at the foot of page 68:

For continuing the relief and settlement of the Apache Indians formerly confined as prisoners of war at Fort Sill Military Reservation, Okla., on lands in Oklahoma to be selected for them by the Secretary of the Interior and the Secretary of War, $40,000; to be expended under such rules and regulations as the Secretary of the Interior and the Secretary of War may prescribe, and to be immediately available and to remain available until expended.

Mr. GRONNA. Mr. President, I believe the senior Senator from Utah [Mr. SMOOT] asked to have that amendment go over. I do not see him in his seat at this moment.

Mr. TOWNSEND. The Senator from Utah is in the Committee on Appropriations. He will be here very shortly.

Mr. GRONNA. I ask, then, that we recur to page 44.

On March 24 the junior Senator from Minnesota [Mr. CLAPP] offered an amendment to the bill striking out, beginning with line 21 on page 44, the remainder of that page, and also the matter on page 45 down to line 20, and inserting a provision which I did not clearly understand at the time. My objection to the proposed legislation was that it would permit the cutting and disposition of immature timber.

Mr. CLAPP. Mr. President, if the Senator will pardon me a moment, he has misstated the page. The amendment to which he refers begins on line 17 on page 43, and continues to and inclusive of line 20 on page 47.

Mr. GRONNA. That is correct The Senator's amendment does protect the growing timber; but I desire to offer an amendment to the amendment of the Senator from Minnesota, which I will send to the desk.

The VICE PRESIDENT. Is not this an amendment to which the Chair sustained a point of order?

Mr. ASHURST. Yes, Mr. President.

Mr. CLAPP. Why, Mr. President, the Vice President will recall the fact that on my suggestion the point of order was reserved; and it is the desire of the Senator from North Dakota now to perfect the amendment before the point of order is disposed of. The Chair will recall, I think, that I asked the Chair to withhold the ruling on the point of order until another day.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. The Chair, beyond any doubt, said that the point of order would be sustained, and that there could be an appeal to the Senate. As the Chair understood, it was simply going over until the senior Senator from Minnesota [Mr. NELSON] returned, in order that the appeal might be taken, and the Senate might settle the question.

Mr. CLAPP. That is true. At the same time, as long as the matter is pending, I can not see why the amendment might not be perfected.

The VICE PRESIDENT. The Chair has not any objection to the amendment being perfected if it can be done under the state of the record. That is the only question—whether the state of the record is such that the amendment can be offered.

Mr. NELSON. Mr. President, I understand that the matter is pending and has not been finally disposed of, and that with that amendment the Senator from Oregon [Mr. LANE], who made the point of order, is willing to withdraw the point of order.

The VICE PRESIDENT. On what day was this amendment considered?

Mr. NELSON. The 24th of March.

Mr. CLAPP. Friday.

The VICE PRESIDENT. Let the Chair see if he can find out the state of the record. [A pause.] The record seems to be in a condition about as follows: That the point of order was sustained, and that the Senator from Minnesota asked the Chair to withhold his ruling until to-morrow, after it was sustained. The Chair then said that he would withhold the ruling, but would decide it the same way upon to-morrow. That seems to be all there is of the record.

Mr. LANE. Mr. President, what is the status of the matter at this time?

The VICE PRESIDENT. The Chair has given the status of the record, as nearly as he can. The Chair assumed that the sole question would be an appeal from the ruling of the Chair when the senior Senator from Minnesota returned.

Mr. OWEN. Mr. President, I suggest, as a parliamentary adjustment of the matter, that the Senator from Minnesota might make his motion to amend the bill with the proposed amendment intended to be offered by the Senator from North Dakota, and then the matter would come up anew; and, if no point of order were made against it, it would go through without taking the time for debate.

Mr. CLAPP. Mr. President, there can be no question——

Mr. NELSON. Will not the Senator from Oregon temporarily withdraw the point of order?

Mr. LANE. I have no objection to temporarily withdrawing my point of order against the amendment, reserving the right to renew it.

Mr. NELSON. If the point of order is withdrawn, then I suppose the amendment offered by the Senator from North Dakota would be in order.

Mr. LANE. Mr. President, I am informed by men who tell me that they have had communication with the Indians whose affairs are concerned in this proposition that the amendment which has been offered by the Senator from Minnesota [Mr. CLAPP], with the further amendment submitted by the Senator from North Dakota [Mr. GRONNA], is satisfactory to them. That is all I was trying to accomplish. If it does that, I am willing to agree to it; and if it does not, then I want to raise another point of order against it.

The VICE PRESIDENT. The difficulty seems to be that there is a point of order and there is not a point of order.

Mr. GRONNA. Mr. President, to my mind the Chair was clearly right in sustaining the point of order. I will therefore offer as a new amendment the amendment offered by the Senator from Minnesota, with my amendment added to it.

The VICE PRESIDENT. That is perfectly clear. The difficulty can be gotten around in that way, and the matter will then be before the Senate.

The SECRETARY. The amendment proposed by the Senator from Minnesota, on behalf of his colleague, is as follows:

Beginning in line 21, on page 44, it is proposed to amend the committee amendment by striking out down to the word "*Provided*," in line 20, on page 45, and inserting in lieu thereof the following:

That lands within said Red Lake Indian forest which are not covered with standing and growing merchantable pine timber and which are suited for the production of agricultural crops and which are fronting upon a lake shore may be allotted to individual Red Lake Indians: *Provided*, That no such allotment shall exceed 80 acres nor have more than 80 rods fronting upon a lake shore: *Provided further*, That in case an Indian has improved and cultivated more than 80 acres, his allotment may embrace his improvements to the extent of 160 acres.

That said forest shall be administered by the Secretary of the Interior in accordance with the principles of scientific forestry, with a view to the production of successive timber crops thereon, and he is hereby authorized to sell and manufacture only such standing and growing pine and oak timber as is mature and has ceased to grow, and he is also authorized to sell and manufacture from time to time such other mature and marketable timber as he may deem advisable, and he is further authorized to construct and operate sawmills for the manufacture of the timber into merchantable products and to employ such persons as he shall find necessary to carry out the purposes of the foregoing provisions, including the establishment of nurseries and the purchase of seeds, seedlings, and transplants when needed for reforestation purposes.

At the end of that amendment the Senator from North Dakota [Mr. GRONNA] proposes to add:

Provided, That all timber sold under the provisions herein shall be sold on what is known as the bank scale.

Mr. ASHURST. There is no objection to that amendment.

Mr. LANE. I withdraw my point of order.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on the amendment offered by the Senator from Minnesota as amended.

The amendment as amended was agreed to.

Mr. CLAPP. Mr. President, just a word right in that connection. In the case of the amendment on page 39, beginning with line 11, and running down to and including line 18, on page 40, the appropriation of $6,000 for the expenses of the tribal council, a point of order was submitted to the Senate, and the Senate sustained the point of order. At the time I entered a motion to reconsider the vote by which that point of order was sustained. I desire to have that question submitted.

The VICE PRESIDENT. The question is on the motion of the Senator from Minnesota to reconsider the vote whereby the Senate decided that the amendment beginning in line 11, page 39, and running to and including line 18, on page 40, was decided to be not germane to the Indian appropriation bill. [Putting the question.] The Chair is unable to decide.

Mr. CLAPP. I call for a division.

The VICE PRESIDENT. All in favor of reconsidering the vote whereby this amendment was decided to be not germane will rise. [A pause.] All those opposed will rise. [A pause.] The motion to reconsider is agreed to.

Now the question is again before the Senate as to whether this amendment is germane. [Putting the question.] The Chair refuses to decide the vote, there being one "aye" and one "no."

Mr. CLAPP. I call for a division.

The VICE PRESIDENT. All those who believe the amendment is germane will rise. [A pause.] Those who believe it is not germane will rise. [A pause.] The Senate decides that the amendment is germane.

The question now is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is on page 97, the proviso beginning on line 18:

There is hereby appropriated out of any money in the Treasury not otherwise appropriated——

Mr. ASHURST. Mr. President, that has been read.

Mr. HUSTING. Mr. President, I simply want to say that when my attention was called to this matter a little while ago I stated that I was not familiar with it. The matter has been under the charge of the senior Senator from Wisconsin [Mr. LA FOLLETTE]. Since that time I have looked into the subject; and inasmuch as the point of order appears to be well taken, I do not see that any objection I can interpose will do any good.

Mr. CURTIS. Mr. President, I make the point of order on the amendment that it is a claim. It shows on its face that it is a claim.

The VICE PRESIDENT. The language of the rule is, "private claim."

Mr. SMOOT. This is a private claim.

Mr. OWEN. Mr. President, has the point of order been sustained?

The VICE PRESIDENT. Not yet.

Mr. CURTIS. Mr. President, it is a claim of individual Indians, and could not very well be anything but a private claim; and the last part of the amendment is clearly general legislation.

The VICE PRESIDENT. The Chair is not sufficiently advised about the state of this claim to rule as to whether it is a private claim or not. What is the fact about it? Has the $125,000 been found due these Indians?

Mr. CURTIS. Mr. President, the Secretary of the Interior found so much money due a certain part of a tribe of Indians that had not been paid to them as annuities. This amendment is to authorize him to pay each of those individuals, and the latter part of it authorizes him to make a roll and to strike names from the roll of that band or part of the tribe that had claimed they were entitled to be enrolled, if he finds they are not entitled to enrollment.

It seems to me that the item is objectionable in two respects: First, that the first part of it is a claim, and, second, that the second part is general legislation.

The VICE PRESIDENT. The Chair is going to sustain the point of order.

Mr. ASHURST. Mr. President, there is an item passed over in regard to Oklahoma.

The VICE PRESIDENT. Is it a further committee amendment?

Mr. ASHURST. A committee amendment, passed over. It was the item for continuing the relief and settlement of the Apache Indians formerly confined as prisoners of war at Fort Sill Military Reservation, Okla., on lands in Oklahoma to be selected for them by the Secretary of the Interior, and so forth.

Mr. PAGE. Will the Senator kindly give us the page?

Mr. ASHURST. Yes; I will. The amendment is found on page 68 of the bill. The senior Senator from Utah [Mr. SMOOT] requested that this item be passed over; and I wish to read the following justification from page 302 of the House hearings:

The act of August 4, 1912 (37 Stats., 518–534), as supplemented by the act of June 30, 1913 (38 Stat. L., 77–94), appropriated $300,000 for the relief and settlement of the Fort Sill Apache Indians confined

as prisoners of war at the Fort Sill Military Reservation. Of this amount, $120,000 was apportioned by the office to be used for the removal of those Fort Sill Apaches who elected to go to the Mescalero Reservation, about 183 in number, and $180,000 was set aside to be used for the purchase of lands in Oklahoma for those electing to remain there.

With the exception of approximately $9,000, this fund is exhausted, but the work of purchasing lands for the 82 members of the band who elected to remain in Oklahoma has not yet been completed, viz, there are yet 13 minor Indians unprovided for, who are entitled, under the regulations jointly adopted by this department and the War Department governing the procedure to be followed in these cases, to a $2,000 allotment each, making a total of $26,000, and three heads of families entitled to allotments worth $3,000 each, under the aforesaid regulations, making a grand total of $35,000 yet needed for the completion of the allotment work.

The aforesaid regulations provided, in accordance with an understanding theretofore had with the Indians, that rations should be furnished them during the first year of their stay on their new allotments. This part of the agreement was not carried out, owing to a misconception of the matter by the superintendent in charge, and it is now proposed to allow 80 Indians $12 per month per capita to reimburse them for rations purchased during the aforesaid period from their own funds. This will involve an outlay of $11,520. The cost of land, $35,000, plus the allowance in lieu of rations, $11,520, less the $9,000 balance on hand, shows a minimum amount yet required of $37,520. The difference between this amount and the sum asked for has been added to cover unforeseen expenses with a view to avoiding the necessity of asking for a further appropriation. If not required, it will be returned to the Treasury in the usual manner.

That is the explanation and justification. I think it should go into the bill.

Mr. SMOOT. Mr. President, before the amendment is agreed to I should like to offer an amendment to it, to strike out the words on page 69, line 3, "and to remain available until expended."

Mr. ASHURST. There is no objection to that.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment on page 69, line 3, it is proposed to strike out the words "and to remain available until expended."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. Are there any further committee amendments?

Mr GRONNA. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Senator from North Dakota offers an amendment, which will be stated.

The SECRETARY. On page 3, line 22, it is proposed to amend the bill by changing the period after "$150,000" to a colon, and adding the following:

Provided, That the provisions of sections 2140 and 2141 of the Revised Statutes of the United States shall also apply to beer and other intoxicating liquors named in the act of January 30, 1897 (29 Stat. L., p. 506).

Mr. GRONNA. Mr. President, section 2139 of the Revised Statutes of the United States was amended on July 23, 1892, so as to include therein the prohibition of the sale of beer and similar intoxicants to Indians. On January 30, 1897, this act was further amended so as to prohibit the sale of extracts, bitters, or any other article which produces intoxication to Indian wards of the Government. Section 2140 of the Revised Statutes provides method of enforcing the prohibition against the introduction of liquors into Indian country. By some oversight sections 2140 and 2141 were not changed at the same time that 2139 was. It is therefore proposed to perfect these two sections of the Revised Statutes by including in their provisions the prohibition against beer and other liquors so that the purpose of Congress in keeping liquor away from the Indians and out of the Indian country may be fully effective.

Mr. SUTHERLAND. Where does the amendment come in?

Mr. GRONNA. On page 3, after the numerals "$150,000." It simply has reference to enforcing the prohibition law in the Indian country.

Mr. ASHURST. Mr. President, I have given this amendment some considerable attention. I have examined the statute. I see no objection to it. I think it would be a salutary provision. It simply provides that no intoxicating liquor, malt, vinous, or spirituous, shall be brought into the Indian country on an Indian reservation. I see no objection to the amendment.

Mr. SUTHERLAND. Let me ask the Senator from North Dakota why he put it in as a proviso? That would seem to make it a limitation upon the appropriation of $150,000. It is not in any manner connected with the appropriation. It does not affect the use of the money. It seems to me the Senator ought to offer it as an independent provision of the bill.

Mr. GRONNA. I agree with the Senator from Utah, and I ask unanimous consent to strike out the word "*Provided*" and let it be an independent provision.

Mr. WALSH. Mr. President, as to the amendment of the Senator from North Dakota, I am in entire accord with the desire of the Senator to have this fault in legislation corrected; but really an appropriation bill is not the proper place in which to carry legislation of this character. Does not the Senator feel that it would be easy to put through a separate bill amending the provision of law and have the legislation enacted in an orderly way?

Mr. GRONNA. I will say to the Senator from Montana that this affects only Indian lands. It is, of course, clearly legislation; the Senator is correct in that, and it would be subject to a point of order if it is made; but the amendment is offered only for the purpose of perfecting the law, making it possible for the Indian Office to enforce the prohibition law on Indian reservations. I hope there will be no objection to it.

Mr. WALSH. The Senator will understand I have no objection at all to the amendment, and it is not my purpose to raise a point of order, but it is rather unfortunate to have such provisions in the midst of an appropriation bill, where one searching the statutes would scarcely expect to find them, and where, in the indexing of the statutes, it would, in all reasonable probability, be overlooked. One would naturally go to the penal statutes, to the subject of crimes, to find a statute of this kind, and not look for it in an appropriation bill. I would not make the exception, except that I can not conceive that there would be any difficulty at all in putting through a bill intended to correct this defect in legislation.

The VICE PRESIDENT. Where is it offered? The Secretary does not understand where it is offered.

Mr. GRONNA. Strike out the word "*Provided*" and insert it as a new section, as suggested by the Senator from Utah.

The VICE PRESIDENT. After the appropriation or before?

Mr. GRONNA. After the appropriation.

Mr. ASHURST. Let it be a new paragraph instead of a new section.

The SECRETARY. After line 22, page 3, insert:

The provisions of sections 2140 and 2141 of the Revised Statutes of the United States shall also apply to beer and other intoxicating liquors named in the act of January 30, 1897 (29 Stat. L., p. 506).

The VICE PRESIDENT. The amendment will be agreed to without objection.

Mr. SMITH of Michigan. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 101, after line 3, insert:

With the consent of the Indians of the Lac Court Oreilles Tribe, to be obtained in such manner as the Secretary of the Interior may require, flowage rights on the unallotted tribal lands, and, with the consent of the allottee or of the heirs of any deceased allottee and under such rules and regulations as the Secretary of the Interior may prescribe, flowage rights on any allotted lands in the Lac Court Oreilles Reservation, in the State of Wisconsin, may be leased or granted for storage-reservoir purposes. The tribe, as a condition to giving its consent to the granting or leasing of flowage rights on tribal lands, and any allottee or the heirs of any deceased allottee, as a condition to giving his or their consent to the leasing or granting of flowage rights on their respective allotments, may determine, subject to the approval of the Secretary of the Interior, what consideration or rental shall be received for such flowage rights, and in what manner and for what purposes such consideration or rental shall be paid or expended; and the consideration or rental shall be paid or expended under such rules and regulations as the Secretary of the Interior may prescribe.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Michigan.

The amendment was agreed to.

Mr. OVERMAN. I offer the following amendment:

The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 62, under the North Carolina items, after line 15, insert:

For building a bridge across the Ocona Lufty River at Cherokee, on Government Indian school reservation in Swain County, N. C., $15,000.

The amendment was agreed to.

Mr. JONES. I offer an amendment, to come in on page 92, after line 7.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 92, after line 7, insert:

For the third installment in payment of $635,000 for water supply for irrigation of 40 acres of each Indian allotment on the Yakima Indian Reservation irrigation system in the State of Washington, provided by the act of August 1, 1914 (38 Stat. L., p. 604), $100,000 to be covered into the reclamation fund.

The amendment was agreed to.

Mr. BORAH. On behalf of my colleague [Mr. BRADY], who is absent on account of illness, I offer an amendment, which I ask to have read and adopted.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 30, after line 12, insert:

That jurisdiction be, and is hereby, conferred upon the Court of Claims to hear, determine, and render judgment upon the claims, of whatsoever nature, both legal and equitable, of the following-named citizens of Idaho: Mrs. James Heatley and children, Abe Anderson, David Anderson, Neils Anderson, Chris. Wittinrich, W. H. Chester, William Williams, Fred Larsen, James W. Chester, Grant E. Barney,

Joseph Nelson, John Swank, Mrs. Mattie M. Clement, Peter Anderson, Fred A. Rogers, George E. Tolmie, George W. Strong, Ira H. Hogan, Mrs. Donald Tolmie, Francis M. Merrell, jr., Charles C. Dewitt, John Boyd, Mrs. Abe C. Anderson, Lewis S. Pond, and L. S. Marriott, as to the amount of damages sustained as the result of the overflow of the land occupied by them and injury done to their improvements thereon held under possessory rights in connection with the construction by the Federal Government of the reservoir to provide storage water for the irrigation of lands belonging to the Indians on the Fort Hall Reservation in Idaho.

The amendment was agreed to.

Mr. CLAPP. Mr. President, I would like to have the attention of the Senate for a moment. Under the laws of Minnesota, State highway aid can only be applied where all the land that is affected by the highway is subjected to the matter of assessments and benefits. In the northern part of Minnesota the State is embarrassed in the laying out and perfection of the highway plans because some of the lands are Indian allotments.

I have prepared an amendment which was in the bill last year. It is very carefully safeguarded. No assessment becomes effective until it is approved by the Secretary of the Interior. It carries no appropriation either of public funds or Indian funds. It simply makes a charge against the land when the Secretary of the Interior, upon examination, feels that the benefit of the road warrants it. The absence of the legislation practically prevents the building of roads where a part of the highway plan involves running by Indian allotments. I wish very much the Senate would permit me to put this amendment on the bill.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 47, after line 20, insert:

That whenever the board of county commissioners of any county in the State of Minnesota establish a State rural highway in accordance with the laws of said State, which highway directly benefits allotments of Indians not subject to taxation or special assessments, but which allotments would be assessed for such benefits under the laws of the said State were they not exempt by treaty, act of Congress, or other law, the said board of county commissioners may make a schedule of assessments against such benefited allottees, the amount of said assessments in each case being that prescribed by the laws of the said State for lands situated and benefited similar to the allotments of such allottees, and when so made file the same with the Secretary of the Interior. If, in the judgment of the Secretary of the Interior, the projected State rural highway is one that will be for the best interests of the Indian allotments affected, then he shall ascertain whether the assessments proposed against the said allottees are fair and just as compared with assessments against other lands similarly situated and benefited. If he shall find that said assessments are fair and just in the manner and to the extent aforesaid, he shall make an order that the said assessments are and shall be charged against the several allottees benefited and provide for notice thereof being served upon any allottee affected thereby. But the amount of any assessment or levy made or charged during the time said allotments are held in trust by the United States shall not be nor at any time become a lien on said allotments. The Secretary of the Interior is hereby authorized and empowered to pay to the county treasurer of such county said assessments and parts thereof as they become due out of any funds belonging to the Indians owning said benefited allotments, and which funds are under the control of the United States or Secretary of the Interior, or out of any tribal funds under the control of the United States or Secretary of the Interior which are subject to be prorated among the members of the tribe to which the Indians owning such benefited allotments belong. Such sums as may be paid from tribal funds shall be charged against the Indians whose respective assessments have been paid: *Provided*, That every Indian who has been assessed in the manner aforesaid shall have the right to appeal within 30 days after being notified of such assessment to the Secretary of the Interior for a reexamination and readjudication of whether or not he has been assessed greater than his proportionate share, and the Secretary of the Interior is hereby authorized to reduce the amount of such assessment if in his judgment justice requires it.

Mr. ASHURST. Mr. President, I have looked into the matter and this same provision was in the bill last year, agreed to by the Senate and the House, and it was agreed to by the conference. Personally I have no objection to it.

Mr. OWEN. Mr. President, the proposal, I think, is entirely right and justified; I am in favor of it, but I should like to have it apply to Oklahoma. I should think every Senator would want it to apply to his own State, because it is a very necessary and proper provision.

Mr. CLAPP. I have no objection. I think it ought to apply undoubtedly wherever under the State laws it is necessary for the court to deal with the question.

Mr. OWEN. I move to amend the amendment by striking out the words "the State of Minnesota" and inserting "in any State."

Mr. CLAPP. I have no objection whatever to the amendment to the amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. Strike out the words "the State of Minnesota" where it occurs in line 2 and insert the words "in any State."

The amendment to the amendment was agreed to.

Mr. PAGE. Now, Mr. President, I should like to say a word on this subject. In view of what we have been doing here for the last 30 minutes, I do not think anyone ought to offer any objection to any kind of legislation.

Mr. ASHURST. No one has done so.

Mr. PAGE. But it seems that as matters have gone on our friends here have taken more and more courage, until now they propose an amendment here that is in effect a proposition to cover the whole United States, and to do it on an appropriation bill.

To my mind this legislation is vicious. I do not want to interpose my views against the views of those who understand the matter better than I, but I do believe we had better hesitate about it before going further in the way of legislating on this appropriation bill. I do not want to see this amendment adopted. It ought not, in my judgment, to pass; and certainly it ought not to pass as an amendment to an appropriation bill.

Mr. CLAPP. Mr. President, I called the attention to the nature of this amendment. I hardly think the suggestion that amendments are being rushed is warranted. Everyone understood the character of this legislation.

Mr. CURTIS. Mr. President, I make the point of order that it is general legislation.

The VICE PRESIDENT. The point of order is sustained.

Mr. CLAPP. Now, in relation to the bill itself, I gather from the statement of one of the clerks that when the Senator from North Dakota [Mr. GRONNA] reintroduced the amendment which I offered on Friday the clerk did not recognize it as a reintroduction of the entire amendment which I offered on Friday. I know the Senator intended that his amendment should be added to the entire amendment. The entire amendment should be agreed to. Otherwise it leaves the legislation absolutely meaningless.

Mr. GRONNA. I agree with the Senator. That was my intention.

Mr. CLAPP. I ask that the record be made to conform with that statement.

The VICE PRESIDENT. Will the Senator from Minnesota tell the Secretary of the Senate where it begins and where it ends, as he desires to have it agreed to by the Senate?

Mr. CLAPP. The amendment was printed, and reads as follows:

On page 44, in line 12, to strike out the word "section" and insert in lieu thereof the word "paragraph."

Strike out all beginning with line 21, on page 44, down to the word "*Provided*," in line 20, page 45, and insert in lieu thereof the following:

"That lands within said Red Lake Indian forest which are not covered with standing and growing merchantable pine timber and which are suited for the production of agricultural crops and which are fronting upon a lake shore may be allotted to individual Red Lake Indians: *Provided*, That no such allotment shall exceed 80 acres nor have more than 80 rods fronting upon a lake shore: *Provided further*, That in case an Indian has improved and cultivated more than 80 acres, his allotment may embrace his improvements to the extent of 160 acres.

"That said forest shall be administered by the Secretary of the Interior in accordance with the principles of scientific forestry, with a view to the production of successive timber crops thereon, and he is hereby authorized to sell and manufacture only such standing and growing pine and oak timber as is mature and has ceased to grow, and he is also authorized to sell and manufacture from time to time such other mature and marketable timber as he may deem advisable, and he is further authorized to construct and operate sawmills for the manufacture of the timber into merchantable products and to employ such persons as he shall find necessary to carry out the purposes of the foregoing provisions, including the establishment of nurseries and the purchase of seeds, seedlings, and transplants when needed for reforestation purposes: *Provided*, That all timber sold under the provisions herein shall be sold on what is known as the bank scale."

Provided, That no contract shall be made for the establishment of any mill, or to carry on any logging or lumbering operations which shall constitute a charge upon the proceeds of the timber, until an estimate of the cost thereof shall have first been submitted to and approved by Congress.

That the Secretary of the Interior may issue permits or grant leases on such lands for camping or farming. No permit shall be issued for a longer term than one year and no lease shall be executed for a longer term than five years. Every permit or lease issued under authority of this act to Indians or to other persons or corporations, and every patent for an allotment within the limits of the forest created by section 1, shall reserve to the United States the right to cross the land covered thereby with logging roads or railroads, to use the shore line, or to erect thereon and use such structures as shall be necessary to the proper and economical management of the Indian Forest created by this act; and the Secretary of the Interior may reserve from allotment tracts considered necessary for such administration.

After the payment of all expenses connected with the administration of these lands as herein provided the net proceeds therefrom shall be covered into the Treasury of the United States to the credit of the Red Lake Indians and draw interest at the rate of 4 per cent per annum. The interest on this fund may be used by the Secretary of the Interior in such manner as he shall consider most advantageous and beneficial to the Red Lake Indians. Expenditure from the principal shall be made only after the approval by Congress of estimates submitted by the said Secretary.

That the Secretary of the Interior shall select and set apart an area not exceeding 200 acres, in sections 20, 21, 28, and 29, township 151 north, range 34 west, cause the lands thus selected to be surveyed

and platted into suitable lots, streets, and alleys, and dedicate said streets and alleys and such lots and parcels as he may consider necessary to public uses. The lands thus selected shall not be allotted, but held as an Indian town site subject to further legislation by Congress.

That the timber on lands of the Red Lake Indian Reservation outside the boundaries of the forest created by section 1 may be sold under regulations prescribed by the Secretary of the Interior, and the proceeds administered under the provisions of the general deficiency act of March 3, 1883 (22 Stat. L., 590), and the Indian appropriation act of March 2, 1887 (24 Stat. L., 463).

The VICE PRESIDENT. That was read and agreed to.

Mr. CLAPP. But the trouble is the reading clerk, and I am not finding any fault with him, read only a portion of the amendment down to the point where the Senator from North Dakota had inserted his amendment. So it stands now as only being that part of the original Nelson amendment, and it leaves the record meaningless, while the Senator from North Dakota intended, of course, that the entire amendment should be incorporated.

Mr. OWEN. The trouble was that the Senator from North Dakota, in making his amendment, left no option about it. The clerk read simply what was sent up, and it is not the fault of the clerks at the desk at all.

Mr. CLAPP. I submit that the amendment which I have read and which I now send to the desk is the amendment offered on Friday, and I have no question that the Senator from North Dakota so understood.

Mr. GRONNA. I agree with what the Senator from Minnesota has said.

The VICE PRESIDENT. The amendment as amended will be agreed to.

Mr. POINDEXTER. I offer the following amendment.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 94, after line 5, insert, as a new paragraph:

The Secretary of the Interior is authorized and directed to lease to citizens of the United States for mining purposes unallotted mineral lands on the diminished Spokane Reservation in the State of Washington for periods of 25 years, with privileges of renewal on such reasonable renewal conditions as may be determined by the Secretary of the Interior, and also with reasonable conditions to be fixed by the Secretary of the Interior providing for the prosecution of mining development and operation. Such leases shall be made to applicants in the order in which applications shall be made. Free opportunity shall be given for prospecting of the said land, and rental shall be based upon mining production and shall be reasonable, and the proceeds of rental shall be paid into the Spokane Indian tribal fund.

Mr. PAGE. Mr. President, I should like to ask the Senator from Washington if this matter has ever been considered by the Committee on Indian Affairs?

Mr. ASHURST. Mr. President, let me answer that question. This provision was before the Committee on Indian Affairs last year, of which the distinguished Senator from Vermont was then as now a member. He took part in the discussion. It was agreed to by the Senate, it was agreed to by the House, and it was agreed to by the conference.

Mr. PAGE. Mr. President, that probably is true, but I do not recall back easily what I did 12 months ago.

It is a matter concerning which I now remember absolutely nothing. If there is any argument in favor of it, it has not been presented to me, and I do not quite understand why we are asked now to adopt legislation which has not been considered by any committee this year. It may have been before the committee last year or the year before. I do not know why the Senator from Washington did not permit us to consider it in committee and pass upon it this year. I should like an explanation.

Mr. POINDEXTER. Mr. President, it might have been proper to have presented the amendment again. It undoubtedly would have been, but in view of the fact that it has not only been considered by the committee but was debated at considerable length in the Senate and adopted by the Senate I thought it would be proper to offer it here now.

The amendment relates to a single Indian reservation in which the agricultural lands have been opened for agricultural entry and have been taken up as homesteads. Certain parts of the land were reserved as timberland and are still in the reservation, which is now called a diminished Indian reservation. There are supposed to be certain minerals there. They do no one any good, Indians or whites, so long as they are not developed. I fail to see any tangible ground of opposition to some method by which these mineral lands may be opened.

I would have preferred myself that the lands be opened up under the mineral laws of the United States with some sort of a royalty based upon mining profit to be paid into the Indian fund, but rather than not have them opened at all I have offered this amendment, which is in accordance with the policy of the administration in regard to reserved Indian lands, and with legislation which they say they expect to present to Congress, but which they have not presented. It is in order to get some action and to unlock the doors which have shut progress from this reservation that I have offered the amendment in this form.

Mr. PAGE. Mr. President, I think the Senator from Washington has said sufficient to enlighten the Senate upon one point, at least, and that is that this is a proposition of such importance that it ought not to come before us and be acted upon in an appropriation bill. Is there in the mind of the Senator from Washington the slightest doubt about this being legislation?

Mr. POINDEXTER. Certainly it is not general legislation, Mr. President. It is special legislation applicable to a particular reservation.

Mr. PAGE. But is it germane to an appropriation bill?

Mr. POINDEXTER. It is not germane; but it is not open to the objection of being general legislation.

Mr. PAGE. It would seem to me clearly so; but I yield to the Senator's better judgment of these matters. It seems to me that it is clearly open to a point of order.

Mr. POINDEXTER. I hope the Senator will not make the point of order.

Mr. PAGE. Mr. President, I will not make the point of order. I will simply object to its adoption.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Washington.

The amendment was agreed to.

Mr. TOWNSEND. On page 32, after line 3, I move to insert what I send to the desk.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 32, after line 3, insert:

For reimbursement of Joseph Bradley, a member of the Saginaw Swan Creek and Black River Band of Chippewa Indians, in the State of Michigan, for traveling and incidental expenses incurred by him as an authorized representative of said band while appearing before Congress and the Interior Department in January, February, and March, 1916, $250, or so much thereof as may be necessary, to be immediately available.

Mr. PAGE. Mr. President, I do not raise the point of order, because that seems to be an improper thing to do here to-day; but I do not think the amendment is germane to this bill or that it ought to be adopted.

Mr. TOWNSEND. If the Senator from Vermont desires me to say a word about it, I will explain how the amendment happened to be offered here and was not presented before the committee.

Mr. PAGE. I will withdraw any suggestion on my part as to making a point of order. I simply say that we are loading down this bill with private claims, and yet, in offering the amendment, I do not think the Senator is doing otherwise than following the common custom.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Michigan [Mr. TOWNSEND].

The amendment was agreed to.

Mr. ASHURST. I propose the amendment which I send to the desk, to come in under the head of "Utah."

The VICE PRESIDENT. The amendment proposed by the Senator from Arizona will be stated.

The SECRETARY. It is proposed to insert, under the head of "Utah," the following amendment:

That the lands and also all the mineral therein, within the former Uncompahgre Indian Reservation, in the State of Utah, which were specifically reserved for future action of Congress, in the act approved March 3, 1903 (32 Stat., p. 998), and the remainder of the lands within even-numbered sections, in said reservation, reserved in the act approved June 7, 1897 (30 Stat., p. 87), as containing gilsonite, asphaltum, elaterite, or other like substances, and which were, by said act of March 3, 1903, authorized to be sold and disposed of in tracts not exceeding 40 acres, shall, unless otherwise reserved, be immediately open to settlement, location, occupation, and entry under all the land laws of the United States according to the character of the lands or of the mineral deposits therein.

Mr. SMOOT. Mr. President, I wish to say that that amendment as a bill passed the Senate on March 9, 1916, and there is a favorable report from the department on it.

Mr. ASHURST. I ask unanimous consent to include in the RECORD the report of the department on this subject.

The VICE PRESIDENT. In the absence of objection, permission to do so will be granted.

The report referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 7, 1915.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: I am in receipt of your request for report upon S. 6623, Sixty-third Congress, second session, providing that lands and the minerals therein within the former Uncompahgre Indian Reservation, in the State of Utah, reserved for future action of Congress by the acts of March 3, 1903 (32 Stat., 998), and June 7, 1897 (30 Stat., 87), as containing gilsonite, asphaltum, elaterite, or other like substances,

shall, unless otherwise reserved, be immediately opened to settlement, location, occupation, and entry under all the land laws of the United States.

The act of June 7, 1897, supra, opened to location and entry under the land laws of the United States the unallotted lands in the former Uncompahgre Indian Reservation, except lands containing the substances named, the title to the latter being reserved to the United States.

The act of March 3, 1903, supra, validated certain locations made upon the lands in question under the mining laws, provided that the even-numbered sections containing the minerals named might be disposed of by the President in tracts not exceeding 40 acres each, and that the balance of the lands and all the mineral therein should be specifically reserved for future action of Congress. This reservation, it will be noticed, was of the odd-numbered sections within said former reservation.

The act of June 21, 1906 (34 Stat., 376), validated and confirmed, as against the United States, certain patents issued upon said lands prior to March 3, 1903, upon locations made prior to January 1, 1891.

The Director of the Geological Survey reports that, in so far as he is advised, no elaterite, ozocerite, or sand asphaltum has been produced in commercial quantities from these lands, but there are in existence therein extensive and valuable veins of gilsonite, estimating that there are situated upon the even-numbered sections within said reservation upon unpatented lands 20 miles of veins and upon the odd-numbered sections 30.2 miles of veins.

Letters have been written to this department by some residents of the State of Utah, urging the opening of these minerals to disposition under the general mining laws, on the ground that this would open to location and entry by the general public considerable areas of land containing the minerals described, and promote a healthy competition with the owners of the deposits, the title to which has heretofore passed from the United States.

Upon careful consideration of the entire matter, I am of the opinion that the lands in question should be opened to disposition under the public-land laws. It is presumably the intent of the bill that lands containing valuable deposits of gilsonite or other minerals shall be subject to location, entry, and patent under the general mining laws of the United States, and the nonmineral lands, if any, be subject to disposition under appropriate nonmineral laws. In this connection, attention is directed to the act of July 17, 1914 (Public, No. 128), "An act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals."

In order to make it entirely clear that the lands in question, if mineral, shall be opened only to location and disposition under the mining laws, and if nonmineral, only under the nonmineral land laws of the United States, it might be well to amend line 7, page 2, to read: "Entry under all the land laws of the United States according to the character of the lands or of the mineral deposits therein."

Cordially, yours,

FRANKLIN K. LANE.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arizona [Mr. ASHURST].

The amendment was agreed to.

Mr. JONES. Mr. President, I offer the amendment which I send to the desk, to come in on page 93, after line 5.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. On page 93, after line 5, it is proposed to insert the following:

That the Secretary of the Interior be, and he hereby is, authorized to sell and dispose of any portion of the lands included within the limits of the abandoned Fort Spokane Military Reservation, State of Washington, not necessary for hospital purposes, as provided for in the act approved August 1, 1914 (38 Stat. L., p. 584), at not less than the appraised value thereof, and to use the proceeds thereof in the establishment and maintenance of such new schools and administration of affairs as may be required by the Colville and Spokane Indians in said State.

Mr. CHAMBERLAIN. Mr. President, I should like to ask the Senator from Washington whether or not the War Department has approved of this suggested amendment?

Mr. JONES. The reservation therein referred to has been abandoned as a military reservation, and the Indian Office has sent a letter approving the amendment. I ask that the letter may be printed in the RECORD in connection with the amendment.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 24, 1916.

MY DEAR SENATOR: I have the honor to acknowledge receipt of your letter of March 15, 1916, inclosing for report copy of an amendment intended to be proposed to H. R. 10385, authorizing the sale of the land in the abandoned Fort Spokane Military Reservation, Wash.

The proposed amendment authorizes the sale and disposition of any portion of the lands included within said military reservation not necessary for hospital purposes at not less than the appraised value thereof.

The lands in question are no longer needed for Indian school purposes, and inasmuch as such lands as may be necessary for hospital purposes are expressly excepted from the operation of the proposed amendment, I see no objection to the enactment of the proposed amendment into law, provided that it be modified so as to make the proceeds available for use in the establishment and maintenance of such new schools and administration of affairs as may be required by the Colville and Spokane Indians. I suggest that this be accomplished by adding the following after the word "thereof," in line 8 of the proposed amendment:

"And to use the proceeds thereof in the establishment and maintenance of such new schools and administration of affairs as may be required by the Colville and Spokane Indians in said State."

There is inclosed a redraft of the proposed amendment, with the modification above suggested incorporated therein, and as modified I recommend that the proposed amendment be enacted into law.

Cordially, yours,

ANDRIEUS A. JONES,
Acting Secretary.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington.

The amendment was agreed to.

Mr. SMOOT. Mr. President, on yesterday, I think it was, I offered an amendment to strike out, on page 5, in lines 8 and 9, the words "to be immediately available," referring to the Choctaw and Chickasaw hospital in Oklahoma, $20,000. In a letter from the Assistant Commissioner of Indian Affairs the urgent necessity of this appropriation being made immediately available is set out in full. I entirely agree with the statement of the assistant commissioner, and I now ask that the vote by which the amendment offered by me striking out those words was agreed to may be reconsidered.

The VICE PRESIDENT. The amendment proposed by the committee was disagreed to, was it not?

Mr. SMOOT. Yes.

The VICE PRESIDENT. In the absence of objection, the vote whereby the committee amendment was disagreed to is reconsidered, and that amendment is now agreed to. The Chair hears no objection.

Mr. GRONNA. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. At the end of the North Dakota items, on page 66, it is proposed to insert:

That all claims of whatsoever nature which the Sisseton and Wahpeton Bands of Sioux Indians may have or claim to have against the United States shall be submitted to the Court of Claims, with the right to appeal to the Supreme Court of the United States by either party, for the amount due or claimed to be due said bands from the United States under any treaties or laws of Congress; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine all claims of said bands against the United States and also any legal or equitable defense, set-off, or counterclaim which the United States may have against said Sisseton and Wahpeton Bands of Sioux Indians, and to enter judgment, and in determining the amount to be entered herein the court shall deduct from any sums found due said Sisseton and Wahpeton Bands of Sioux Indians any and all gratuities paid said bands or individual members thereof subsequent to March 3, 1863: *Provided*, That in determining the amount to be entered herein, the value of the land involved shall not exceed the value of such land on March 3, 1863. If any such question is submitted to said court it shall settle the rights, both legal and equitable, of said bands of Indians and the United States, notwithstanding lapse of time or statute of limitations. Such action in the Court of Claims shall be presented by a single petition, to be filed within one year after the passage of this act, making the United States a party defendant which shall set forth all the facts on which the said bands of Indians base their claims for recovery; and the said petition may be verified by the agent or authorized attorney or attorneys of said bands, to be selected by said bands and employed under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, in accordance with the provisions of existing law, upon information or belief as to the existence of such facts, and no other statements or verifications shall be necessary. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. Whatever moneys may be found due the Sisseton and Wahpeton Bands of Indians under the provisions of this act, less attorney's fees, shall be placed to their credit in the Treasury of the United States: *Provided*, That the compensation to be paid the attorney or attorneys for the claimant Indians shall be determined by the Secretary of the Interior, but in any event shall not be greater than the amount named in the approved contract: *Provided further*, That such compensation shall in no event exceed $15,000.

Mr. GRONNA. Mr. President, I shall not detain the Senate, but wish simply to say that this legislation was in the Indian appropriation bill of last year but went out in conference. It also passed the Senate last year as a separate bill, and has likewise passed the Senate this year. This legislation has been recommended by the Secretary of the Interior. It simply proposes to carry out treaty stipulations with these bands of Sioux Indians.

Mr. ASHURST. Mr. President, I have no objection to the amendment, but I hope Senators will not hold me to a strict account should our conferees find themselves unable to retain the amendment in conference. I must say that this is the just and proper place for such legislation; but I fear that we may not be able to get all the conferees to agree on it. Let the amendment go into conference, however, Mr. President.

The VICE PRESIDENT. Without objection, the amendment is agreed to. The Chair hears none.

Mr. OWEN. Mr. President, on page 3 of the bill there is a provision "for the suppression of the traffic in intoxicating liquors among Indians," for which there is appropriated $150,000. That expenditure is made comparatively ineffective by the requirement under the law of proving that a person

found in possession of intoxicating liquors has violated the law relating to introducing liquors across the State line. I now propose an amendment that the possession by a person of any intoxicating liquors in the country where the introduction is prohibited, shall be prima facie evidence of unlawful introduction. This legislation is desired by the administrative officers in Oklahoma, especially where we have great difficulty with that feature.

The VICE PRESIDENT. The amendment proposed by the Senator from Oklahoma will be stated.

The SECRETARY. On page 3, after line 22, after the amendment already agreed to at that point, it is proposed to insert:

The possession by a person of intoxicating liquors in the country where the introduction is prohibited shall be prima facie evidence of unlawful introduction.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. JONES. Mr. President, I have an amendment here that is recommended by the department, and it has also been favorably reported by the Committee of the House of Representatives on Indian Affairs. It relates to a matter that I have observed considerably with reference to Indian reservations in my State, and I think it is very important that it should be adopted. On page 14, after line 6, I submit the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. On page 14, after line 6, it is proposed to insert the following:

That whenever it shall appear to the satisfaction of the Secretary of the Interior that the allotted lands of any Indian are arid, but susceptible of irrigation, and that the allottee by reason of old age or other disability can not personally occupy or improve his allotment or any portion thereof, such lands, or such portions thereof, may be leased for a period not exceeding 10 years, under such terms, rules, and regulations as may be prescribed by the Secretary of the Interior.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington.

The amendment was agreed to.

Mr. ASHURST. Mr. President, if no other Senator has an amendment to offer, I wish, in candor and frankness, to propose an amendment which the Senate Committee on Indian Affairs refused to report favorably and refused to authorize me to include in the bill. I feel, however, that as an individual Senator it is incumbent upon me to move the amendment at this time. In the committee I proposed an amendment appropriating $10,000 for the purpose of making an investigation as to the necessity, feasibility, or practicability of opening for sale and settlement the unallotted lands of the Colorado River Indian Reservation. First, I ask that my proposed amendment be read, again stating that members of the committee will recall that the amendment, I think, received but one vote in the committee, and that was my vote, but I wish now to propose the amendment on my own individual responsibility.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 27, after line 20, it is proposed to insert:

That the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $10,000 from the proceeds from the sale of town lots on the Colorado River Reservation, arising under the act of April 30, 1908 (35 Stat. L., p. 77), for the examination and final location surveys of a dam site on the Colorado River, and the investigation and survey of an irrigation system to supply the land of the Colorado River Reservation from said dam, and for the design, preparation of maps, plans, and detailed specifications for said works, and estimate of cost thereof, for the utilization of the reserved rights to water from the Colorado River in the State of Arizona for the irrigation of approximately 150,000 acres of land on said reservation.

Mr. ASHURST. Mr. President, I shall be very brief. In 1908 an act of Congress was passed setting apart some 900 or 1,000 acres for the town site of Parker, Ariz. The town site was surveyed and the then honorable Secretary of the Interior in 1910 or thereabout paid a visit to that part of the country and delivered an interesting speech, describing to the assembled persons the fertility of the soil and stating that it would be a very good investment for American citizens if they would purchase some of the town lots, because the reservation would inevitably be opened. Accordingly citizens of my State—excellent and worthy citizens—purchased lots and paid for them at an appraised value. The Government was dissatisfied with the appraised value and cause another appraisement to be made, whereupon the price of the lots was elevated some 500 per cent. The citizens then paid the same; but I have been unable, the Member of the House from Arizona has been unable, and my distinguished colleague [Mr. SMITH] has been unable to induce the department to do anything further; and here, in the center of a desert, are these worthy citizens who went there, and who were attracted there partly because of the implied, if not expressed, promise of the Government to open the unallotted lands to entry.

Mr. President, under those sales there was taken from citizens of the United States, mostly citizens of Arizona, the sum of $62,103. There has been used of that fund $7,089, leaving in the Treasury as the avails of the sale of those lands the sum of $55,012.

Mr. President, I wish to have the Secretary read at the desk a short extract from the Parker Post, a paper published at Parker, Ariz., describing the situation.

The VICE PRESIDENT. In the absence of objection the Secretary will read, as requested.

The Secretary read as follows:

It is now a little over five years ago since Uncle Sam's real estate agents slipped into Parker and sold about $100,000 worth of sandy desert lots to the people of this community, and other investors, who relied upon the implied promises of the Government that the surplus lands of the Colorado River Indian Reservation would be open to settlement and entry within a reasonable time.

At the time of the auction sale of lots in the Parker town site a horde of deputy United States marshals accompanied the receiver of the Phoenix Land Office for the purpose of guarding the treasure chest which Uncle Sam accumulated here through the enterprise of his real estate sharks. Before the week ended our good uncle cleaned us up a la Wallingford, the guardians of the money chest departed, and not a peep has been heard from his fly-by-night agents since.

Any cheap real estate grafter who had gotten away with one one-hundredth part of the amount which Uncle Sam filched from the Parker people would now be serving a term in the penitentiary. Yet, in view of the rotten deal we have had from our Government, our Senators and Congressman have been powerless to do anything toward making the Government fulfill its promises or make restitution to the investors in town lots, which are absolutely worthless until such time as the surplus lands of the reservation are opened to settlement.

During the reading by the Secretary,

Mr. GRONNA. Mr. President——

Mr. ASHURST. I prefer to have the article read in its entirety; I do not want the article divided and "chopped up." It is interesting and pertinent.

Mr. GRONNA. Does not the Senator think it is a reflection upon the officials of the Government?

Mr. ASHURST. I state truth and state facts; all that I do is to state facts; I do not pay any attention to results if I am stating facts.

After the reading of the article was concluded,

Mr. ASHURST. Mr. President, I present a memorial, which was unanimously adopted by the Legislature of Arizona, asking that the unallotted lands of this reservation be opened. I ask unanimous consent to include that memorial of the Legislature of Arizona in the RECORD.

The VICE PRESIDENT. In the absence of objection, the matter referred to will be printed in the RECORD.

The memorial referred to is as follows:

To the Senate and House of Representatives of the Congress of the United States of America in Congress assembled:

Your memorialists, the Second Legislature of the State of Arizona, in regular session convened, respectfully represent:

That during the years of 1908 and 1909 the then Indian agent of the Colorado River Indian Reservation, under authority of the Department of the Interior, granted numerous permits to persons to settle upon certain lots in the Parker town site, Yuma County, Ariz.

That an appraisement was made of the lots of said town site under the direction of the Department of the Interior during the year 1909, and the persons occupying lots under permits granted by the department were given a preference right to purchase said lots.

That about 90 days thereafter a second appraisement of all lots in the Parker town site, including those occupied by permittees, was ordered by the Department of the Interior, and the valution was raised from 300 to 600 per cent above the figures set forth in the first appraisement. That this raise in appraised values was made because of the fact that the town site of Parker is within a short distance of the allotted Indian land on the Colorado River Indian Reservation, the surplus area of which was planned by the Department of the Interior to be opened to purchase and settlement at an early date.

That the said permittees occupying lots upon the Parker town site have paid to the United States under the valuations of town lots under the second appraisement the sum of $24,562.

That on May 10, 1910, the authorities of the United States held an auction sale of lots within the Parker town site and $56,698 worth of said lots were sold to residents of Parker and other investors. That $37,623 have been paid to the United States for lots purchased at said auction sale and there is still owing to the United States upon said sales the sum of $19,075.

That immediately prior to the auction sale of town-site lots at Parker Congress passed an act as follows:

"For the construction of a pumping plant to be used for irrigation purposes on the Colorado River Reservation, together with the necessary canals and laterals, for the utilization of water in connection therewith, for the purpose of securing an appropriation of water for the irrigation of approximately 150,000 acres of land, $50,000, to be reimbursed from the sale of the surplus lands of the reservation."

That the above act was, in effect, a representation by the United States that the surplus land of the Colorado River Indian Reservation was soon to be opened to settlement and entry by bona fide settlers. That the lots put up for sale at said auction had a prospective value only upon the assumption that said surplus lands would be opened to settlement at an early date. That the enormous increase in the valuation of lots in the Parker town site by the second appraisement above referred to was only justified by the carrying out of the implied promise contained in the above act that the surplus lands of the Colorado River Indian Reservation would be open to settlement.

That the town site of Parker is a barren desert, on land having an intrinsic value of less than $1 an acre. That whatever added value it may have arises from the fact that it is adjacent to the bottom lands of the Colorado River Indian Reservation, in which the surplus lands above referred to lie; and unless said lands are opened to settlement and entry the town site of Parker is worth little, or not more than any other desert land.

That the residents of Parker and numerous other residents of the State of Arizona interested therein, who were induced to purchase lots in the Parker town site by reason of the implied promise of the United States above set forth to open the reservation lands to entry, have repeatedly petitioned Congress and the Department of the Interior for the opening of said surplus lands.

That said purchasers of lots in Parker have further evidenced their reliance upon said implied promise of the United States to open said lands by investing large sums of money in buildings and improvements in said town of Parker, all of which will be worthless unless the said lands are opened to settlement.

That the allotments of land to the Indians belonging on said reservation have been approved by the Department of the Interior and the surplus land, amounting to approximately 125,000 acres, which might be open to entry, is segregated.

That, to the best knowledge and belief of your memorialists, there exists a sufficient flow of underground water for the irrigation and reclamation of the surplus lands.

That the surplus Indian lands above described are highly desirable as prospective farms, and hundreds of energetic and enterprising citizens of this State alone are awaiting the opportunity to secure tracts of lands for the purpose of making their homes thereon. That to the best knowledge and belief of your memorialists a large amount of the delay in opening the surplus lands of said reservation to settlement in accordance with the said implied promise of the United States has been caused by unnecessary entanglements of official red tape in the various bureaus at Washington having charge of reclamation work and Indian affairs.

That another reason which has been assigned for the delay in opening said lands for settlement is the fact that people having large cattle interests have leased certain of the lands involved and have been exerting their influence to delay the opening of said lands for settlement: Therefore be it

Resolved by the Senate and the House of Representatives of the Legislature of the State of Arizona, That the Congress of the United States be, and it is hereby, urged to enact any legislation which may be necessary for the opening for settlement of said lands, to the end that the implied promise of the United States, made to the settlers and purchasers of lots within the Parker town site, to the effect that Indian lands within the Indian reservation would be opened for settlement, be carried out.

Resolved further, That a copy of this memorial and these resolutions be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Secretary of the Interior, and to the Representatives of Arizona in Congress, and that our Representatives in Congress be, and they are hereby, requested to do all in their power to accomplish the enactment of such legislation.

Passed the senate March 6, 1915, by a vote of 17 ayes; 2 absent.

W. P. SIMS, *President.*
OSCAR COLE, *Secretary.*
By C. P. CRONIN,
Assistant Secretary.

Passed the house March 4, 1915, by a vote of 28 ayes; 7 absent.

WM. E. BROOKS,
Speaker of the House.

Mr. ASHURST. Now I formally offer the amendment.

The VICE PRESIDENT. The amendment has been read.

Mr. CURTIS. Mr. President, the chairman of the committee is correct in stating that the committee was opposed to this amendment. As it is not estimated for by any department and is not reported from any standing committee, I make the point of order against it.

The VICE PRESIDENT. The point of order is sustained.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. OWEN. Mr. President, the Indian appropriation bill has so often been made a vehicle for legislation that I should like to present an amendment, to come in on page 10, line 20, which I regard as of some importance. Recently at the town of Tulsa, Okla., two United States deputy marshals were shot down in cold blood by a man engaged in the liquor traffic there. These marshals were sent to search the premises. This man shot them through a door and killed them both. The community was very much affected by a controversy between the liquor people and those who were opposing them, and the result was that the man who killed the deputy marshals was discharged. The Government attorney very violently protested against the action, and attributed it to the manner in which justice was attempted to be administered in that particular instance. I think the United States ought to protect its own servants and ought not to allow them to be killed without the criminals being subject to the laws of the United States. The proviso which I wish to offer, and which should follow immediately after the appropriation of $200,000 for the Indian police, reads:

Provided, That any person or persons committing murder, manslaughter, or assault with intent to kill on an Indian policeman or on any United States marshal or deputy marshal while in the discharge of his duties shall be subject to penalties provided by the laws of the United States relating to such crimes, and shall be tried by the district court of the United States exercising jurisdiction within the district where such crime was committed.

Of course, the amendment is subject to a point of order, if any Senator wishes to make it; but it seems to me that the Government ought to protect its own servants. If the language of the amendment be not altogether apt, it can, I take it, be adjusted in conference, if it meets with the general approval of the Senate.

Mr. THOMAS. I should like to inquire of the Senator whether the State courts are not open and equipped with machinery for the administration of justice and for the punishment of such offenses?

Mr. OWEN. I stated—perhaps the Senator was not in—what occurred in the State court in Oklahoma.

Mr. THOMAS. Yes; I heard the last statement of the Senator. Of course, justice sometimes miscarries, but it seems to me, Mr. President, that it is rather dangerous, to put it mildly, by such a sweeping amendment, to clothe the Federal courts with jurisdiction of crimes committed in the States. While it may be within our power to enact such legislation, nevertheless it might privilege the officers of the United States and extend the jurisdiction of the Federal courts over crimes which, under the guise of having been committed against men in the discharge of official duty, were really the outgrowth of those ordinary relations with which Federal judicial authority has nothing to do.

I appreciate the reason upon which this proposed amendment is based, and, while it doubtless is justified in the particular case, it seems to me that the remedy which is suggested by an isolated transaction, so to speak, might be utilized to deprive the State courts of a great deal of their necessary jurisdiction. I do not want to make the point of order against the Senator's amendment, but I do not think that we should enact such legislation without giving very serious consideration as to the consequences which may follow from its enactment.

Mr. OWEN. Mr. President, I call attention to the fact that the amendment only applies to the Indian police and deputy marshals, who are charged with certain duties. They are sent to arrest men for violating the laws of the United States, and they ought not to be shot down in a community which is hostile to them and have juries packed in favor of those who shoot them and have justice so administered that they can not secure protection for their lives. The proper administration of the laws of the United States is impeded if the officers do not have adequate protection.

Mr. CLARK of Wyoming. Mr. President, I want to ask the Senator whether or not the circumstances which he has detailed are not also sought to be covered by a bill which the Senator now has pending before the Senate Judiciary Committee, on which a subcommittee is now working, and concerning which the subcommittee has asked the views of the Department of Justice? Does not that bill cover the same class of cases referred to in the amendment?

Mr. OWEN. The amendment covers the same subject matter, but is, of course, a very condensed form of that bill.

Mr. CLARK of Wyoming. Yes; but it is the same condition that the Senator seeks to reach.

Mr. OWEN. The same condition, yes; but the necessity for the amendment arises from the difficulty of getting bills through Congress. It is so difficult to get a bill passed which has to go through the Judiciary Committee of the Senate, then pass the Senate, then have to go through the Judiciary Committee of the House, and then pass the House, that I did not think it would be at all likely that we would get any action during the present Congress.

Mr. CLARK of Wyoming. It is very unfortunate that the local authorities can not properly attend to such matters.

Mr. OWEN. I think they do in nine hundred cases out of a thousand.

Mr. CLARK of Wyoming. I want to assure the Senator that the subcommittee of the Judiciary Committee, to which the Senator's bill was referred, has not been quiescent, but has been at work upon it. I think I may safely say that the subcommittee has substantially agreed upon a portion of the Senator's bill, and has referred the matter to the Department of Justice for its consideration and its views upon the particular matters in the bill. In that view would it not suggest itself to the Senator that the provision—because it involves a matter of a great deal of importance—should take the regular course, instead of being put upon a bill where it can not be subject to discussion?

Mr. OWEN. I thought that the action which might be taken by the Judiciary Committee would be a proper basis for the substitution in the conference report of some other provision for this particular item—which, of course, is very brief—if it meets with the approval of the House of Representatives. I was aware

that the committee had the matter under consideration, and I assumed that they would draft a measure that would cover this exigency. But the difficulty of getting such bills through is so great that the matter goes along from year to year. It has been now 20 years since the chief of Indian police, under my charge as United States Indian agent for the Five Tribes, was murdered in cold blood on Christmas eve on the streets of Muskogee, and without any remedy in the world. The Government gave him no protection. He took his life in his hands in dealing with Indian citizens there and exciting their animosity, and he was shot down, as I have said, in cold blood on the streets of Muskogee. It does not promote the administration of justice that the United States fails to protect its servants when those servants are sent to discharge a public duty.

Mr. SUTHERLAND. Mr. President, of course the proposed amendment would not affect that case. I imagine the Senator will agree to that statement.

Mr. OWEN. I did not hear exactly what the Senator said.

Mr. SUTHERLAND. I say, of course, if the amendment suggested by the Senator from Oklahoma were adopted, it could not affect the case to which the Senator has referred.

Mr. OWEN. No; that was covered shortly afterwards by a statute which made the crime subject to the courts of the United States, where an Indian policeman was killed by an Indian.

Mr. SUTHERLAND. But the case that has already happened can not be subjected to this law, because then it would be an ex post facto law.

Mr. OWEN. That only related to cases where they were killed by Indians. In the case of Sam Six Killer, who was chief of the Indian police and was killed by Indian citizens, the United States had no jurisdiction; but Congress did after that, upon my request, pass an act giving jurisdiction to the United States courts in such cases.

Mr. SUTHERLAND. The amendment suggested by the Senator from Oklahoma covers a pretty broad field. It applies not only to officials of the Indian Service, but it applies to deputy United States marshals and other officers of the Federal Government.

Mr. OWEN. In the discharge of their duty. I thought it covered a rather narrow field, because it only deals with the men who serve writs against those who belong to the criminal class.

Mr. SUTHERLAND. But the amendment is much broader than the subject matter of the bill to which it is to be attached. It covers the whole field.

Mr. OWEN. Yes; I agree with the Senator in that respect. That is true.

Mr. SUTHERLAND. I dislike very much to make a point of order against the amendment, and yet I think it is a subject that ought to be given very careful consideration.

Mr. OWEN. Then I ask that it be confined to the Indian police.

Mr. SUTHERLAND. Even then, it opens up a very broad field, at any rate as a precedent. I wish the Senator would not offer it to this bill. I think it is a matter that ought to be considered fully by the Judiciary Committee. It is now receiving consideration at the hands of that committee, and I am quite sure it will be reported out in some form. I do not know just what form it will assume.

Mr. OWEN. If anything relating to the matter which would make it a subject of conference were to be put on the bill, then the views of the Judiciary Committee could, I take it, prevail by having them presented. That is what I hoped to accomplish. I thought that by putting this within the range of the conference report the Judiciary Committee might make suggestions that would cover it precisely according to what they might find necessary under the present statute.

Mr. WALSH. Mr. President, will the Senator from Utah permit me to make an observation?

Mr. SUTHERLAND. Yes.

Mr. WALSH. I am in entire accord with the Senator from Oklahoma in his desire to have this legislation enacted, and I am quite satisfied that under the decision In re Nagel there is no doubt about the jurisdiction of Congress to provide for the punishment of these crimes of violence committed against an officer of the United States in the discharge of the duties of his office. We now have a statute which relates to obstructions in the enforcement of process and crimes committed; but the penalty is of a trifling character, and it makes it only a misdemeanor.

The bill referred to was referred to a subcommittee of the Committee on the Judiciary, and a letter on the subject was received from the Attorney General. He suggests a general act applicable to the case, a draft of which had been prepared. It presents a rather important question of the strict bounds and lines of the jurisdiction as between the Federal Government and the State government in respect to the jurisdiction of Congress, and I express the hope, also, that the measure will be allowed to take its usual course. I feel very certain that the matter can be reported to the Judiciary Committee at its next meeting, and I feel quite satisfied that a speedy report will come from that committee. I feel very sure that there will be no opposition whatever to the spirit of the bill. It is a mere matter as to the details and the form it shall take.

Mr. OWEN. Mr. President, if the Senators feel that this amendment ought not to go on the bill, after what I have stated, I shall not insist upon it, but will very cheerfully withdraw the proposed amendment.

The VICE PRESIDENT. The amendment is withdrawn.

The bill is still in the Senate and open to amendment. If there be no amendment to be proposed, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 13768) making appropriations to supply urgent deficiencies in appropriations for the Military Establishment for the fiscal year 1916, in which it requested the concurrence of the Senate.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13043) making appropriations to supply further additional urgent deficiencies in appropriations for the fiscal year 1916 and prior fiscal years.

HOUSE BILL REFERRED.

H. R. 13768. An act making appropriations to supply urgent deficiencies in appropriations for the Military Establishment for the fiscal year 1916 was read twice by its title and referred to the Committee on Appropriations.

DEFICIENCY APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT.

Mr. MARTIN of Virginia. From the Committee on Appropriations, I report back favorably without amendment the bill (H. R. 13768) making appropriations to supply urgent deficiencies in appropriations for the Military Establishment for the fiscal year 1916, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in appropriations for the Military Establishment for the fiscal year 1916, namely:

MILITARY ESTABLISHMENT.

OFFICE OF THE CHIEF SIGNAL OFFICER.

Signal Service of the Army: For expenses of the Signal Service of the Army, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, and for radio installations, motor cycles, and motor-driven vehicles used for technical purposes, $600,000, to remain available during the fiscal year 1917: *Provided, however,* That not more than $500,000 of the foregoing appropriation shall be used for the purchase, maintenance, operation, and repair of airships and other aerial machines and accessories in the Aviation Section; and for the purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be necessary for the Aviation Section.

QUARTERMASTER CORPS.

Pay: For pay of the Army, including the same objects, except mileage, specified under this head in the Army appropriation act for the fiscal year 1916, $1,577,017.42.

Mileage to officers and contract surgeons: For mileage to officers, acting dental surgeons, veterinarians, contract surgeons, pay clerks, and expert accountant, Inspector General's Department, when authorized by law, $20,000.

Subsistence: For subsistence of the Army, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $753,141.

Regular supplies: For regular supplies, Quartermaster Corps, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $667,483.08.

Incidental expenses, Quartermaster Corps: For incidental expenses, Quartermaster Corps, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $86,960.86.

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses for Cavalry, Artillery, Engineers, etc., including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $1,529,000.

Barracks and quarters: For barracks and quarters, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $31,300.

Transportation: For transportation of the Army and its supplies, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $1,355,447.25.

Water and sewers at military posts: For water and sewers at military posts, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $60,110.50.

Clothing, and camp and garrison equipage: For clothing, and camp and garrison equipage, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $1,223,542.

MEDICAL DEPARTMENT.

Medical and Hospital Department: For Medical and Hospital Department, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $37,500.

ORDNANCE DEPARTMENT.

Ordnance service: For the current expenses of the Ordnance Department, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, $20,000.

Manufacture of arms: For manufacturing, repairing, and issuing arms at the national armories, $6,000.

Ordnance stores and supplies: For overhauling, cleaning, repairing, and preserving ordnance and ordnance stores in the hands of troops and at the arsenals, posts, and depots; for purchase and manufacture of ordnance stores to fill requisitions of troops; for Infantry, Cavalry, and Artillery equipments, including horse equipments for Cavalry and Artillery, $644,000.

This bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL DEFENSE.

Mr. CHAMBERLAIN. I ask to have taken from the calendar and postponed indefinitely Order of Business 241, which is the original Senate bill 4840, reported to the Senate, as House bill 12766 has been reported and takes the place of the Senate bill on the calendar.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States.

Mr. OVERMAN. This is the Senate committee substitute?

Mr. CHAMBERLAIN. It is.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12766) to increase the efficiency of the Military Establishment of the United States, which had been reported from the Committee on Military Affairs, with an amendment.

Mr. CHAMBERLAIN. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. Is there objection to temporarily laying aside the unfinished business? The Chair hears none.

ORDER OF BUSINESS.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of unobjected bills on the calendar under Rule VIII.

The VICE PRESIDENT. Is there any objection?

Mr. SMITH of Georgia. I object.

Mr. SMOOT. Mr. President, I simply want to say to the Senator that there are about 16 pages of bills on the calendar under Rule VIII.

Mr. SMITH of Georgia. We should take the bills up, then, and dispose of them in their order.

Mr. SMOOT. We have about an hour this afternoon in which it seems to me we should make at least some progress upon the calendar.

Mr. SMITH of Georgia. Has the Indian appropriation bill been finished?

Mr. SMOOT. It has; and the Army reorganization bill, which is now the unfinished business, has been temporarily laid aside. I thought it would be a waste of time to take up now, at this hour, a bill upon which we know there will be discussion. I thought that within the next hour we could clear perhaps three-fourth of all the bills on the calendar under Rule VIII to which there is no objection.

Mr. SMITH of Georgia. Mr. President, in one sense that is true; and, again, it is also true that if we allow bills not objected to to be disposed of in that way it is going to be very difficult to get up and pass upon meritorious bills on the calendar that ought to be disposed of. There ought to be a time when we can take up the calendar and dispose of bills as we reach them. We now have an hour and a half, and I do not see why we should not go on with Order of Business 18, Senate bill 706.

Mr. SMOOT. Of course, if the Senator insists upon it, I have no objection at all, with the exception, of course, that the bill will not be passed to-night and the time will be wasted.

Mr. SMITH of Georgia. It will not be wasted. There are Senators who have views they desire to present on the subject, and they are present, and I think it would be well for them to submit their views. I move that the Senate proceed to the consideration of Senate bill 706, to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

EXECUTIVE SESSION.

Mr. VARDAMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, March 29, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 28, 1916.

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

Probational Second Lieut. Oscar Otto Kuentz, Corps of Engineers, to be second lieutenant in the Corps of Engineers, with rank from April 1, 1915, the date of his original appointment. (The incumbent's probational appointment will expire March 31, 1916.)

PORTO RICO REGIMENT OF INFANTRY.

Manuel Font, of Porto Rico, to be second lieutenant in the Porto Rico Regiment of Infantry with rank from October 22, 1915, vice Second Lieut. Leopoldo Mercader, promoted September 1, 1915.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Mason M. Patrick, Corps of Engineers, to be colonel from March 24, 1916, vice Col. William M. Black, appointed Chief of Engineers with the rank of brigadier general.

Maj. Meriwether L. Walker, Corps of Engineers, to be lieutenant colonel from March 24, 1916, vice Lieut. Col. Mason M. Patrick, promoted.

Capt. Max C. Tyler, Corps of Engineers, to be major from March 24, 1916, vice Maj. Meriwether L. Walker, promoted.

First Lieut. Albert H. Acher, Corps of Engineers, to be captain from March 24, 1916, vice Capt. Max C. Tyler, promoted.

PORTO RICO REGIMENT OF INFANTRY.

First Lieut. Henry C. Rexach, Porto Rico Regiment of Infantry, to be captain from September 1, 1915, vice Capt. Laurance Angel, who resigned August 31, 1915.

First Lieut. Pedro J. Parra, Porto Rico Regiment of Infantry, to be captain from September 6, 1915, vice Capt. Stewart McC. Decker, retired from active service September 5, 1915.

Second Lieut. Leopoldo Mercader, Porto Rico Regiment of Infantry, to be first lieutenant from September 1, 1915, vice First Lieut. Henry C. Rexach, promoted.

Second Lieut. Urbino Nadal, Porto Rico Regiment of Infantry, to be first lieutenant from September 6, 1915, vice First Lieut. Pedro J. Parra, promoted.

POSTMASTERS.

CONNECTICUT.

John G. St. Ruth to be postmaster at Windsor, Conn., in place of Charles T. Welch. Incumbent's commission expires April 5, 1916.

MICHIGAN.

William P. Nisbett to be postmaster at Big Rapids, Mich., in place of Frank E. Hardy. Incumbent's commission expires May 8, 1916.

MISSOURI.

William M. Brown to be postmaster at Polo, Mo., in place of James Tait. Incumbent's commission expires April 24, 1916.

J. S. Divelbiss to be postmaster at Braymer, Mo., in place of L. F. Blacketer. Incumbent's commission expires April 24, 1916.

OHIO.

Fred. D. Baker to be postmaster at Sunbury, Ohio, in place of O. W. Whitney. Incumbent's commission expires April 2, 1916.

William E. Haas to be postmaster at Delaware, Ohio, in place of E. L. Porterfield. Incumbent's commission expired February 27, 1916.

NEW JERSEY.

William Gerard to be postmaster at Rockaway, N. J., in place of Vancleve F. Mott. Incumbent's commission expired March 13, 1916.

TENNESSEE.

Charles C. Berry to be postmaster at Dyer, Tenn., in place of James Rogers, jr. Incumbent's commission expires April 15, 1916.

John I. Cox to be postmaster at Bristol, Tenn., in place of Alvin J. Roller. Incumbent's commission expired June 15, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 28, 1916.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from March 13, 1916.

John McAllister.
Fenwick Beekman.
Thomas Alexander Kenyon.
Frank David Smythe.
Alfred Gibson Farmer.
Treston Reed Ayars.
William Johnston Cranston.
Gardner Nathan Cobb.
Morris Kellogg Smith.
Charles Marion Aves.
Ralph Griffiths Stillman.
Gerald Peirce Lawrence.
George Albert O'Connell.
Milton Hickox Prosperi.
Walter Ashby Frankland.
Ralph Henry Kuhns.
Harry Delphos Orr.
James Patterson.
William Eugene Kendall.
George Warner Mosher.
Maurice Lyon Puffer.
John Christian Dallenbach.
Irwin James Shepherd.
Ralph Waldo Wakefield.
Walter Benjamin Harvey.
Henry Thorndyke Chickering.
S. Mortimer Hill.
Joseph Gardner Hopkins.
John Allen Hawkins.
Albert Rudolph Hatcher.
Harry Vincent Paryzek.
Richard Dexter.
Herbert Vance Weihrauch.
Marion Arthur Blankenhorn.
Chester Dale Christie.
James Gerard Kramer.
Dean Flewellyn Winn.
Samuel Fosdick Jones.
Burnley Lankford.
Charles Franklin Hoover.
Horace David Arnold.
Alexander Swanson Begg.
John Warren.
Frank Percival Williams.
Henry Lindsay Sanford.
Thomas Pollock Shupe.
Zabdiel Boylston Adams.
Elliot Gray Brackett.
Benjamin Irving Harrison.
Herbert Newton Greene.
Allen Graham.
Seward Erdman.
Ferdinand Hartmann Dammasch.
Lyman Foster Huffman.
George Emerson Brewer.
John Jacob Smith.
Charles North Dowd.
John Punnett Peters, jr.
Samuel Bradbury.
Arthur Shade Jones.
Leroy Briggs Sherry.
William Edgar Lower.
Alan De Forest Smith.
Harry Selby Purnell.
Cecil Claire Lawhorn.
Brainerd Hunt Whitbeck.
Harold Oliver Ruh.
Harry Gordon Sloan.
Howard Lester Taylor.
John Patrick O'Neil.
Walter Black Rogers.
Richard Lloyd Cook.
Charles Albert Bowers.
John Guy Strohm.
William Raymond Barney.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Maj. Edward N. Jones, jr., to be lieutenant colonel.
Capt. William C. Rogers to be major.
First Lieut. Vernon W. Boller to be captain.
Second Lieut. Charles E. Coates to be first lieutenant.
Second Lieut. Robert H. Willis, jr., to be first lieutenant of Infantry.

CAVALRY ARM.

Second Lieut. Ronald D. Johnson to be first lieutenant.

POSTMASTERS.

ARIZONA.

William J. Daze, Winslow.

GEORGIA.

Sam M. Barnett, Chatsworth.
Mary R. Blacker, Dodge.
Annie C. McCord, Harlem.
Lonnie E. Sweat, Blackshear.

KENTUCKY.

Garland G. Lanum, Fordsville.

NEW YORK.

Francis H. Alvord, Liverpool.
Henry W. Bowes, Bath.
Chauncey G. Brown, St. Johnsville.
Roy Ferguson, Lake Placid Club.
Robert J. Hutchinson, Depew.
Howard V. Kenyon, North Creek.
William H. Nolan, Little Falls.
R. E. Purcell, jr., Philadelphia.
L. N. S. Rockwell, Otisville.
W. D. Schaffer, Newfane.
Jesse H. Shepard, Sherburne.
Charles Williamson, Glens Falls.

TENNESSEE.

John I. Cox, Bristol.

VIRGINIA.

Henry L. Munt, City Point.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 28, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee that the good men do lives after them, since all men cherish the good and abhor the evil in man; hence we pray that our lives may be worthy and full of good deeds. The name Judas Iscariot lives only as a synonym for hypocrisy, while the Cross has been glorified and made the synonym for heroism, divine love, and holy sacrifice. May we as individuals abhor evil and cleave to that which is good, that our deeds may live and our names be inscribed on the roll of honor, that we may swell the mighty chorus:

I live to hold communion
With all that is divine;
To feel there is a union
Twixt nature's heart and mine;
For wrong that needs resistance,
For the cause that lacks assistance,
For the dawning in the distance,
And the good that I can do.

In the spirit of the Lord Christ. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. ROGERS. Mr. Speaker, I understood the Journal to state that leave of absence was granted to the gentleman from Pennsylvania [Mr. MOORE]. It was granted to Mr. DARROW on the request of the gentleman from Pennsylvania [Mr. MOORE].

The SPEAKER. Without objection, the correction will be made.

There was no objection.